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Sixty-seventh year

Letter dated 9 July 2012 from the representatives of Afghanistan and Japan to the United Nations addressed to the Secretary-General

We have the honour to forward herewith the conclusions of the Tokyo Conference on Afghanistan held on 8 July 2012, entitled "The Tokyo Declaration: Partnership for Self-Reliance in Afghanistan From Transition to Transformation" (see annex I).

On behalf of our Governments, we would like to express our sincere gratitude for your personal presence in Tokyo, which demonstrated the consistent commitment of the United Nations to the stability of Afghanistan. The Conference reaffirmed the historic alliance between Afghanistan and its international partners based on the Tokyo Mutual Accountability Framework (see annex II), which underpins our partnership for the Transformation Decade.

We would be grateful if the present letter and the annexes thereto could be forwarded to the Presidents of the General Assembly and the Security Council and circulated as an official document of the Assembly, under agenda item 38, and of the Council.

(*Signed*) Ambassador Zahir **Tanin**
Permanent Representative of Afghanistan to the United Nations

(*Signed*) Ambassador Kazuo **Kodama**
Chargé d'affaires ad interim
Permanent Mission of Japan to the United Nations

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Annex I to the letter dated 9 July 2012 from the representatives of Afghanistan and Japan to the United Nations addressed to the Secretary-General

The Tokyo Declaration

Partnership for Self-Reliance in Afghanistan

From Transition to Transformation

July 8, 2012

Preamble

1. The Afghan Government and the International Community (hereafter "the Participants") met on July 8, 2012 in Tokyo to reaffirm and further consolidate their partnership from Transition to the Transformation Decade. The Tokyo Conference, together with the Chicago Summit of Afghanistan and ISAF contributing countries of May 2012, established a renewed stronger foundation for partnership to support sustainable growth and development of Afghanistan throughout the Transformation Decade (2015-2024). These undertakings are built on the outcome of the Bonn Conference in December 2011, where the Afghan Government and the International Community mutually renewed their long-term commitments in the areas of governance, security, peace process, economic and social development, and regional cooperation, as well as on the outcomes of the previous international conferences such as the London Conference in January 2010 and the Kabul Conference in July 2010. Chaired by the Japanese and Afghan Governments with the participation of ministers and representatives from 55 countries and 25 international and other organizations from around the world, today's conference also recognized the increasing roles of new partners and neighboring and regional countries for the sustainable development of Afghanistan.

2. Since the landmark Tokyo Conference of January 2002, with the steadfast and strong support of the International Community, financial and otherwise, Afghanistan has achieved substantial development and made notable progress in many fields of development, including education, health, roads, electricity, and telecommunication, as illustrated at the symposium hosted by Japan International Cooperation Agency (JICA) on July 6, 2012 in Tokyo. Building on the long-held aspiration of the Afghan people, Afghanistan has laid down the foundations of the democratic system of government, including the promulgation of its new Constitution, enshrining a commitment to pluralism and human rights, in particular the equal rights of women; and the development of increasingly active civil society and vibrant and open media.

3. However, much remains to be done to realize the aspirations of the Afghan people for a peaceful, stable and self-sustaining Afghanistan. With support from the International Community, Afghanistan will continue its progress on such issues as security, with a focus on terrorism and counter-narcotics, poverty reduction, humanitarian needs, provision of basic social services, food security, protection of human rights in particular the rights of women and children, respect for individual dignity, promotion of education and culture, improvement of governance, reducing corruption, lessening reliance on international assistance, and promotion of private investment, thereby contributing to human security.

4. At the Bonn Conference, Afghanistan and the International Community shared a vision for long-term partnership to help Afghanistan attain sustainable economic growth and development and fiscal self-reliance from Transition through the Transformation Decade. Today in Tokyo, the Afghan Government and the International Community succeeded in transforming their mutual commitments made in Bonn to cooperate throughout the Transformation Decade into a solid and credible framework focused on the priorities of the Afghan Government as contained in its strategy paper *Towards Self-Reliance*. At today's Conference, Afghanistan and the International Community established the Tokyo Mutual Accountability Framework (hereinafter the "Tokyo Framework"), which underpins our partnership for the Transformation Decade.

Security and Peace Process

5. The Participants reaffirmed their respect for the sovereignty, unity, territorial integrity and independence of Afghanistan, which constitutes an integral component of the peace, well-being and prosperity of the region and beyond. The Participants reaffirmed that peace and security are the foundation on which a stable and prosperous society is built. The Participants recognized that the main threat to Afghanistan's security and stability comes from terrorism and that this threat also endangers regional and international peace and security. In this regard, the Participants recognized the regional dimensions of terrorism and extremism, including terrorist safe havens, and emphasized the need for sincere and result-oriented regional and international cooperation towards a region free from terrorism in order to secure Afghanistan and safeguard the region and the world against the terrorist threat. The Participants renewed their firm determination to combat terrorism and extremism in all their forms and never to allow Afghanistan to become a sanctuary for international terrorism again.

6. The Participants stressed the critical importance of reducing drug and precursor production and trafficking, which poses another challenge to Afghanistan's security and its economic growth as well as to international peace and stability; and the responsibility of neighboring and consuming countries to address the demand aspect of counter narcotics. In this context, the Participants took note of the importance of outcomes of the 3rd Ministerial Conference of the Paris Pact Partners on Combating the Illicit Drugs and Opiates Originating in Afghanistan held on February 16, 2012 in Vienna. The Afghan Government and the International Community reiterated their determination to counter the menace of illicit narcotic drugs through such means as crop eradication, dismantling of drug production infrastructure and promotion of alternative agriculture and law enforcement, cooperation against illicit drugs and precursor chemicals, as well as money laundering and corruption linked to such trafficking. The Participants stressed that key to this is an end to conflict and the development of alternative livelihoods, as well as effective law enforcement, border control and anti-corruption measures; and the health sector must be able to provide care for those suffering from drug abuse.

7. The Participants welcomed the progress of the Transition process so far. With the announcement of tranche 3 on May 13, 2012, 75 percent of the population will now come under the security protection provided by the Afghan National Security Forces (ANSF). By mid-2013, all parts of Afghanistan will have begun transition and the Afghan forces will be in the lead for security nation-wide, allowing the withdrawal from Afghanistan of the International Security Assistance Force (ISAF)

by the end of 2014. The Participants stressed the importance of protecting civilian population in accordance with international humanitarian law and international human rights law. The Participants reaffirmed the importance for Afghanistan to attain a fully professional, capable and accountable ANSF that protects the civilian population, in particular women and children, respects the Constitution, and observes Afghan and international laws.

8. The Participants welcomed the clear vision and appropriately funded plan for a sufficient and sustainable ANSF during the Transformation Decade as endorsed at the Chicago Summit of Afghanistan and ISAF contributing countries of May 2012. The International Community reaffirmed its intention to support the training, equipping, financing, and capability development of the Afghan National Army (ANA) and Afghan National Police (ANP) during the Transformation Decade, with the understanding that over the coming years, the International Community is to gradually reduce its financial contribution commensurate with the assumption by the Afghan Government of increasing financial responsibility. The pace and the size of a gradually managed force reduction to a sustainable level are to be conditions-based and decided by the Afghan Government in consultation with the International Community. Development of civilian policing and rule of law capabilities will be among the priorities. International assistance is to be delivered using appropriate, coherent and effective mechanisms guided by the principles of flexibility, transparency, accountability, anti-corruption and cost effectiveness.

9. The Participants reaffirmed the importance of the peace and reconciliation process with a view to ending the ongoing violence in the country and restoring lasting peace and security as per the UN Security Council Resolutions and as stated in the London and Kabul Communiqués, and reconfirmed in the Bonn Conclusions. The process that will lead to reconciliation and peace must be inclusive, represent the legitimate interests of all Afghans and be Afghan-led and Afghan-owned. In this context, the Participants reiterated the importance of reconciliation principles such as the renunciation of violence, the breaking of ties to international terrorism and respect for the Afghan Constitution, including its human rights provisions, notably the rights of women, and emphasized the region's respect and support for the peace process and its outcome. The Participants recognized the importance of reintegration as an integral part of the peace process, which will pave the way for community recovery and post-conflict rehabilitation of Afghan society through improving security, community development and local governance. In this regard, the International Community welcomed the progress made in reintegration efforts so far including the reintegration of over 4,700 ex-combatants. The International Community welcomed the appointment of the new Chairman of the High Peace Council, Mr. Salahuddin Rabbani, reaffirmed its strong support for the peace efforts of the Afghan Government through the High Peace Council and the Afghan Peace and Reintegration Program (APRP), and called upon the regional countries that can play a positive role to extend all possible cooperation to ensure the success of the peace process. The Participants also stressed the importance of the participation of civil society organizations and women's groups in support of the peace process and the culture of peace and human rights in Afghan society in particular in the light of the UN Security Council Resolution 1325.

10. The Participants underscored that sustainable return and reintegration of Afghan refugees and internally displaced persons is essential to security and stability. The International Community reaffirmed the commitment, including in the

Solutions Strategy made at UNHCR Geneva Conference on May 2 and 3, 2012, to enhance the development and reintegration potential in Afghanistan to create communities that are viable in the long-term and support the increased return of refugees from neighboring countries. The Afghan Government and the International Community acknowledged the burden of Afghanistan's neighbors, in particular Pakistan and Iran, in providing temporary refuge to millions of Afghan in difficult times and are committed to further work towards their voluntary, safe and orderly return.

Governance and Strategy for Economic Self-Reliance

11. The Participants recognized that good governance at national and sub-national levels is essential for strong and sustainable economic development and improved livelihoods of the Afghan people. Through the Tokyo Framework, the Afghan Government and the International Community reaffirmed their partnership in the economic growth and development of Afghanistan through a process of mutual accountability, and the transformation of the relationship from recipient and donors to owner and partners.

12. The Participants shared the view that the International Community's ability to sustain support for Afghanistan depends upon the Afghan Government delivering on its commitments as part of this renewed partnership. In this context, the Afghan Government confirmed its resolve, as expressed at Bonn, that the future of its political system will continue to reflect its pluralistic society and remain firmly founded in the Afghan Constitution. The Afghan people will continue to build a stable, democratic society, based on the rule of law, effective and independent judiciary and good governance, including progress in the fight against corruption. The Afghan Government affirmed that the human rights and fundamental freedoms of its citizens, in particular the equality of men and women, are guaranteed under the Constitution and Afghanistan's international human rights obligations. The Afghan Government committed to conducting free, fair, transparent, and inclusive elections in 2014 and 2015, in which all the people of Afghanistan participate freely without internal or external interference.

13. The International Community also noted the Afghan Government's progress on economic governance and ongoing partnership with the International Monetary Fund, the World Bank, the Asian Development Bank and the Islamic Development Bank. The International Community welcomed Afghanistan's efforts to date and noted the importance of further actions, including the resolution of the Kabul Bank issue.

14. The Participants reaffirmed their shared goal of achieving Afghanistan's long-term economic growth and fiscal self-reliance. To achieve this objective, the Afghan Government has developed *Towards Self-Reliance*, a strategy for sustainable growth and development to be implemented through the National Priority Programs (NPPs), with a focus on economic growth, revenue generation, jobs, and human development. The Afghan Government is to continue with the planning and implementation of these NPPs in proper and needed sequencing well into the Transformation Decade with reviews at appropriate intervals. The International Community welcomed the Afghan strategy, and reaffirmed its commitment of aligning 80 percent of aid with the NPPs and channeling at least 50 percent of its development assistance through the national budget of the Afghan Government in

accordance with the London and Kabul Communiqués. In this regard, donors welcomed the headline results from the Afghanistan Reconstruction Trust Fund (ARTF) review which confirm that there are established and credible mechanisms donors can use to meet their 50 percent on budget commitment beyond 2014. The Participants encouraged other partners, such as the UN agencies, to support alignment and on-budget mechanisms both through their policy roles and their programmatic activities.

15. The Participants reiterated that the Afghan Government will have special, significant, and continuing but declining fiscal requirements that cannot be met by domestic revenues in the years following Transition as has been estimated by the World Bank and the Afghan Government in preparation for the Tokyo Conference. To help address the budget shortfall, the International Community committed to directing financial support towards Afghanistan's economic development through the Transformation Decade. In this context, in the initial stage of the Transformation Decade, the International Community committed to providing over 16 billion US dollars through 2015, and sustaining support, through 2017, at or near levels of the past decade to respond to the fiscal gap as estimated by the World Bank and the Afghan Government.

Regional Cooperation

16. Regional cooperation and integration contribute to the sustainability of development efforts, through increasing economic and trade opportunities as well as enhancing political dialogue. Keeping in mind that sustained engagement of Afghanistan's regional partners remains key to addressing common challenges, such as terrorism, extremism, illicit drugs, refugees, disaster risk reduction, barriers to trade, investment and economic growth, the role of regional processes and fora that facilitate regular political dialogue and contribute to the building of confidence among countries is extremely important. In this context, the Participants recognized the importance of the Afghan-led and regionally owned Istanbul Process, launched on November 2, 2011, and welcomed the progress of the Istanbul Process as it moves forward incrementally towards practical implementation, by the relevant countries and organizations, of the prioritized confidence building measures (CBMs), as a crucial step towards deepening cooperation, interaction and confidence among Afghanistan's near and extended neighbors. The Participants welcomed the outcome of the very successful 'Heart of Asia Ministerial Conference-Kabul' on June 14, 2012, and looked forward to the next ministerial conference to be held in Kazakhstan in the first half of 2013 .

17. The Participants encouraged further efforts for the promotion of regional economic cooperation through various other regional fora such as the Conference on Interaction and Confidence Building Measures in Asia (CICA), the Economic Cooperation Organization (ECO), the Organization of Islamic Cooperation (OIC), the Shanghai Cooperation Organization (SCO), the South Asian Association for Regional Cooperation (SAARC) and the United Nations Special Program for the Economies of Central Asia (UNSPECA). The participants also welcomed the decision of the SCO to grant Observer status to Afghanistan.

18. The Participants reaffirmed that, Afghanistan being a landlocked country, it is vital to realize the vision of regional connectivity and economic integration, where Afghanistan can serve as a hub and a land-bridge at the center of a stable and

prospering region. The International Community is encouraged to support NPP projects which promote regional economic cooperation and to provide funding for the Afghanistan Infrastructure Trust Fund (AITF) managed by the Asian Development Bank (ADB). The Participants emphasized the importance of implementing projects at the regional level, including projects and programs identified in the Fifth Regional Economic Cooperation Conference on Afghanistan (RECCA V), and those identified by the Central Asia Regional Economic Cooperation (CAREC) in 2011 in the areas of transport, trade, energy and other key sectors.

19. The Participants reaffirmed the importance of enhancing trade connectivity along historical trade routes, and promoting trade, transit, investment, and border management toward regional and global integration and the creation of an enabling environment. The Participants welcomed the conclusion of the Afghanistan-Pakistan Transit Trade Agreement (APTTA), the transit agreement between Afghanistan and Tajikistan, and the Agreement on Cross-Border Transport of Persons, Vehicles, and Goods (CBTA) among Afghanistan, the Kyrgyz Republic and Tajikistan within the framework of CAREC.

Private Sector and Civil Society

20. The Participants shared the view that developing a vibrant private sector will be essential for sustainable development of Afghanistan particularly for the long term; and that it requires the firm commitment of the Afghan Government to taking all steps necessary to achieve an enabling business environment, including establishing regulatory frameworks and building necessary infrastructure. The Participants noted the importance of promoting domestic and foreign investment in Afghanistan. The Participants also encouraged the creation of models for cross-country partnerships in investment whereby international investors can engage in partnership arrangements with those from within the region as well as with local Afghan entrepreneurs. In this context, the importance of job creation and initiatives targeting youth and women employment should be emphasized.

21. As far as investment priorities are concerned, the extractive industries, which already attract growing interest of private investors, as well as others of Afghanistan's productive sectors, such as agriculture and energy, will be crucial in attracting private sector investment in the interest of sustainable, inclusive economic growth and job creation in Afghanistan. In this context, the Afghan Government's Resource Corridor approach is noteworthy.

22. The Participants welcomed the results of the Delhi Investors' Summit on Afghanistan hosted by the Confederation of Indian Industries on June 28 in Delhi, which benefitted from many participants from neighboring countries, and underscored the importance of implementing the recommendations of the summit. The Participants reaffirmed the significance of risk mitigation and credit provision schemes by the International Community in promoting private sector investment in Afghanistan. The International Community committed to taking concrete steps to promote private investment and trade by mobilizing relevant development finance institutions, export credit authorities, and other governmental and nongovernmental tools to encourage human and financial capital investments in Afghanistan. The Participants also reaffirmed the importance of women's participation in private

sector conferences as reinforcing the need for inclusive development and recognition of women's rights.

23. The Participants emphasized the role of the Afghan civil society in advocating for and supporting human rights, good governance and sustainable social, economic and democratic development of Afghanistan through a sustained dialogue. The Participants reaffirmed that a thriving and free civil society based on respect for human rights and fundamental freedoms, in particular the equality of men and women, enshrined in the Afghan Constitution, will be key to achieving a more pluralistic society in Afghanistan.

24. The Participants took note of the statement by Afghan civil society organizations at the Tokyo Conference. The Participants also welcomed the results of the civil society event jointly organized by Japanese and Afghan NGOs on July 7 in Tokyo.

The Way Forward

25. To ensure continuity and progress, the Afghan Government and the International Community decided to establish a follow-up mechanism to review their mutual long-term commitments laid out in this Declaration and the Tokyo Framework, and to verify the fulfillment of these commitments based on the notion of mutual accountability. For this purpose, the Participants decided, under the framework of the Kabul process, that follow-up meetings will take place at the ministerial level every two years, in between years at the senior officials level, and at more regular intervals under the Afghan-UN led Joint Coordination and Monitoring Board (JCMB) mechanism.

26. The Afghan Government expressed its appreciation to the International Community for its steadfast support for the security and development of Afghanistan notably for renewing its commitment at today's Conference to support Afghanistan during the Transformation Decade. The Afghan Government also recognized with appreciation the supporting role of the UN organizations, including United Nations Assistance Mission for Afghanistan (UNAMA) in Afghanistan's development process.

27. The Participants, and in particular the Afghan Government, expressed their deep appreciation to the Government and people of Japan for hosting the Tokyo Conference and for their steadfast support for Afghanistan's stabilization and development. The Participants look forward to next ministerial meeting to be co-hosted by Afghanistan and the United Kingdom within the year 2014 after the presidential election in Afghanistan.

Annex II to the letter dated 9 July 2012 from the representatives of Afghanistan and Japan to the United Nations addressed to the Secretary-General

TOKYO MUTUAL ACCOUNTABILITY FRAMEWORK

(Tokyo Framework)

1. The Afghan Government and the International Community reaffirm their partnership in the economic growth and development of Afghanistan through a process of mutual accountability in achieving mutually decided goals as laid out in this document, hereafter the "Tokyo Framework". The International Community's ability to sustain support for Afghanistan depends upon the Afghan Government delivering on its commitments described in the Tokyo Framework. This document establishes an approach based on mutual commitments of the Afghan Government and the International Community to help Afghanistan achieve its development and governance goals based on the International Community's commitments in the Tokyo Framework. The Tokyo Framework establishes a mechanism to monitor and review commitments on a regular basis.

2. Good governance is essential for strong and sustainable economic development and improved livelihoods of the Afghan people. Recognizing this fact, this accountability framework concretizes the mutual commitments decided in the Kabul Process and reaffirmed at the Bonn Conference by stipulating shared development and governance goals and a mechanism as described in this document to hold parties accountable for achieving them. The goals are consistent with the Afghan Government's economic and development strategy presented in *Towards Self-Reliance*.

3. At the December 2011 Bonn Conference, the International Community affirmed the special status of Afghanistan to receive donor assistance from Transition through Transformation in greater measure than similarly situated nations. The Afghan Government and the International Community are bound by their citizens' expectations for the effective and transparent stewardship of resources.

4. The Afghan Government reaffirms its solemn commitment to strengthen governance, grounded in human rights, the rule of law, and adherence to the Afghan Constitution, and holds it as integral to sustained economic growth and development.

5. Working in partnership with the International Community, the Afghan Government seeks sustained development, economic growth and fiscal sustainability with declining reliance on donor financing as articulated in *Towards Self-Reliance*. To fulfill this vision, the Afghan Government has put together the National Priority Programs (NPPs), and, in consultation with International Community, is developing an Aid Management Policy to be endorsed by the Joint Coordination and Monitoring Board (JCMB) by December 2012 to ensure optimal execution and effectiveness of international assistance aligned with national priorities.

6. As Afghanistan enters the Transformation Decade, progress from the past decade in areas that underpin sustained economic growth and development, especially for women and girls, such as education, health and other basic services,

as well as strengthened respect for human rights, must continue. Challenges such as vulnerability to natural disasters and humanitarian needs must also be addressed jointly in an effective and appropriate manner in Transition and the Transformation Decade.

7. Successful transition will lead to a decade of Transformation where Afghanistan will build on the benefits of Transition to become an effectively governed and economically, socially progressing country driven by its own national priorities. This requires a paradigm shift in the nature of partnership between the Afghan Government and the International Community, from that of being recipient and donors to owner and partners. The realization of this shift necessitates re-defining the principle, reciprocal commitments and modalities of partnership, which is the purpose of the Tokyo Framework. The Tokyo Conference is the turning point to begin this re-definition in our partnership.

Principles

8. The Tokyo Framework is based on broadly accepted principles of inclusive and sustainable economic growth and development:

- o Governance has a direct bearing on development performance;
- o International assistance aligned with national priority programs enhances efficiency and sustainability of development assistance;
- o International assistance through national budgets can improve national institutional capacities, development performance, and accountability to its citizens;
- o Monitoring of development and governance benchmarks in a transparent manner is a powerful means to enable accountability to the Afghan people, and reinforce reciprocal commitments of donors and the Afghan Government to improved development performance;
- o Private investment both domestic and foreign is key to sustainable economic growth; and
- o Regional cooperation facilitates the integration of regional economies, thus contributing to the sustainability of development efforts in Afghanistan.

Mutual Commitments

9. The Participants emphasize the importance of the delivery of assistance through adhering to the principles of aid effectiveness, that they cannot continue "business as usual," and must move from promise to practice. The Tokyo Framework sets out a new reinvigorated development partnership between the Afghan Government and the International Community.

10. The Afghan Government and the International Community affirm that a functional democracy based on credible and inclusive elections, a professional and efficient civil service, access to justice and the rule of law are essential to a secure, just, stable and prosperous Afghanistan. Strengthened governance and institutions with a particular focus on the rights of women are prerequisites for strong and sustainable economic growth, employment generation and prosperity for the Afghan people.

Afghanistan Governance and Development Commitments

11. The Afghan Government and the International Community are to monitor performance for five major areas of development and governance according to the modalities described below. A timeline for these indicators is to be developed by the Afghan Government for the next JCMB meeting. The desired goals and initial indicators for each area are stated below.

Representational Democracy and Equitable Elections

Goal: Conduct credible, inclusive and transparent Presidential and Parliamentary elections in 2014 and 2015 according to the Afghan Constitution, in which eligible Afghan citizens, men and women, have the opportunity to participate freely without internal or external interference in accordance with the law.

Indicators:

- o Develop, by early 2013, a comprehensive election timeline through 2015 for electoral preparations and polling dates; and
- o Ensure that a robust electoral architecture is developed in a secure, participatory and transparent manner to enable successful and timely elections.

Governance, Rule of Law and Human Rights

Goal: Improve access to justice for all, in particular women, by ensuring that the Constitution and other fundamental laws are enforced expeditiously, fairly and transparently; ensure that women can fully enjoy their economic, social, civil, political and cultural rights; fight against corruption, including strengthening counter-narcotics efforts; and improve the capacity of state institutions.

Indicators:

- o Ensure respect for human rights for all citizens, in particular for women and children, and allow the Afghanistan Independent Human Rights Commission and civil society organizations to perform their appropriate functions;
- o Demonstrated implementation, with civil society engagement, of both the Elimination of Violence Against Women Law (EVAW), including through services to victims as well as law enforcement, and the implementation of the National Action Plan for Women (NAPWA) on an annual basis; and
- o Enact and enforce the legal framework for fighting corruption including, for example, annual asset declarations of senior public officials including the executive, legislative and judiciary.

Integrity of Public Finance and Commercial Banking

Goal: Improved integrity of public financial management and the commercial banking sector.

Indicators:

- o Implement the government program supported by the International Monetary Fund on schedule; continue to enforce asset recovery and accountability for those responsible for the Kabul Bank crisis; and strengthen banking supervision and reforms through Da Afghanistan Bank;

- o Implement Public Financial Management Action Plan and improve the management of public funds as measured by Public Expenditure and Financial Accountability (PEFA) assessment by 20 percent and raise the transparency of public funds measured by the Open Budget Initiative (OBI) to more than 40 percent; and
- o Implement the recommendations from the Financial Action Task Force Asia Pacific Group regarding anti-money laundering and combating terrorist financing.

Government Revenues, Budget Execution and Sub-National Governance

Goal: Improve the Afghan Government's revenue collection and capacity of line Ministries' to develop and execute budgets accountable to, and incorporating, local needs and preferences.

Indicators:

- o Through more efficient, transparent and accountable customs and tax systems, raise the ratio of revenue collection to GDP from 11 percent to 15 percent by 2016, and to 19 percent by 2025;
- o Improve budget execution to 75 percent by 2017;
- o Enact a legal framework to clarify roles, and responsibilities of government agencies at national, provincial and district levels, in line with the 2010 Sub-National Governance Policy; and
- o Develop a provincial budgeting process that includes provincial input into the relevant Ministries formulation of budget requests, linked to a provincial planning process in which Provincial Councils have their consultative roles.

Inclusive and Sustained Growth and Development

Goal: Achieve inclusive and sustained growth through a focus on human development, food security, private investment, and decent work and employment opportunities and the improvement of ranking in the human development index.

Indicators:

- o Ensure adequate resource allocations to achieve Afghanistan's Millennium Development Goal (MDG) targets for health, gender, education, environment and food security and use of MDG indicators to measure progress;
- o Strengthened enabling environment for the private sector, as measured by the World Bank Doing Business Index, including development of an Extractive Industries Development Framework that governs Afghanistan's natural wealth through an accountable, efficient and transparent mechanism which builds upon and surpasses international best practices;
- o Encourage and support regional economic initiatives by leveraging investments in the agriculture sector and resource corridors as primary drivers of growth; and establish Road, Rail and Civil Aviation Institutions; and
- o Take steps necessary to achieve World Trade Organization (WTO) accession by the end of 2014.

International Commitment to Improving Aid Effectiveness

12. The Participants reiterate that the Afghan Government will have special, significant, and continuing but declining fiscal requirements that cannot be met by domestic revenues in the years following Transition as has been estimated by the World Bank and the Afghan Government in preparation for the Tokyo Conference. To help address the budget shortfall, the International Community commits to directing financial support towards Afghanistan's economic development through the Transformation Decade. In this context, in the initial stage of the Transformation Decade, the International Community commits to providing over 16 billion US dollars through 2015, and sustaining support, through 2017, at or near levels of the past decade to respond to the fiscal gap as estimated by the World Bank and the Afghan Government. The International Community welcomes the Afghan strategy, and reaffirms its commitment of aligning 80 percent of aid with the NPPs and channeling at least 50 percent of its development assistance through the national budget of the Afghan Government in accordance with the London and Kabul Communiqués.

13. Participating donors aim to increase the share of their assistance provided via the Afghanistan Reconstruction Trust Fund (ARTF) incentive program, or other mechanisms as requested or agreed by the Afghan Government, to 10 percent by 2014, with a goal of 20 percent of funding through incentive mechanisms by the end of the Transformation Decade. Incentive programs should seek to provide the Afghan Government with more flexible, on-budget funding in conjunction with progress on specific economic development achievements.

14. The International Community commits to taking concrete steps to improve aid delivery consistent with partnership and global aid effectiveness principles, and adhering to the Afghan Government's Aid Management Policy upon completion and endorsement by the JCMB by December 2012. Alignment of donor assistance to Afghan National Priorities is to be determined in reference to specific deliverables outlined by the Afghan Government in the approved NPPs. Donors intend to consult with the Afghan Government to identify appropriate funding modalities for implementing Afghan National Priorities. The Afghan Government may decline any aid financing that is insufficiently aligned with Afghan Government's priorities, has a low return on investment or high transaction costs.

15. The International Community aims to limit the practice of sub-contracting in all specialized and labor-intensive projects to only one vertical level to reduce overhead costs and improve transparency.

Modalities

16. The Afghan Government and the International Community decide to establish a mechanism to monitor their performance of indicators and work plans through an established review process, building on the JCMB process. The Afghan Government, facilitated by the Ministry of Finance and relevant ministries, is responsible for achieving the governance and development indicators specified in the Tokyo Framework. Development partners are responsible for delivering on their aid commitments stated in the Tokyo Declaration and the Tokyo Framework.

17. The Afghan Government and the International Community are to implement the Tokyo Framework according to the modalities outlined below. The Afghan

Government and the International Community are to establish a transparent and regular monitoring process, building on a reinvigorated Kabul Process and JCMB, to hold each other accountable for reciprocal commitments.

18. The three elements of the mechanism are:

- The Standing Committees and Joint Coordination and Monitoring Board (JCMB) to review progress on a regular basis;
- A Senior Officials Meeting to be held in 2013 and every second year subsequently to review progress and update indicators where needed; and
- A Ministerial-level Meeting to be held in 2014, and every second year subsequently to review progress, update indicators, assess resource requirements and renew international commitments.

19. The first Ministerial-level Meeting will be co-chaired by Afghanistan and the United Kingdom.

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Letter dated 10 July 2012 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General

I have the honour to write to you expressing the gratitude and appreciation of the people and Government of Afghanistan for your participation in and support expressed at the International Tokyo Conference on Afghanistan, held on 8 July 2012. Your presence in Tokyo manifested the United Nations steadfast support for Afghanistan's long-term stability and prosperity.

I further have the honour to refer to the document entitled "Towards self-reliance: strategic vision for the transformation decade", which was presented by the Government of the Islamic Republic of Afghanistan at the Tokyo Conference (available from http://www.afghanistan-un.org/wp-content/uploads/2012/07/Towards-Self-Reliance-27-6-2012-final-version.pdf).

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Zahir **Tanin**
Ambassador and Permanent Representative

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Security Council

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Report of the Security Council Mission to Haiti, 13-16 February 2012

I. Introduction

1. In a letter dated 19 January 2012, the President of the Security Council informed the Secretary-General that the members of the Council had decided to send a mission to Haiti from 13 to 16 February 2012. Susan E. Rice, Permanent Representative of the United States of America to the United Nations, led the mission, which was composed as follows:

Azerbaijan	(Agshin Mehdiyev, Permanent Representative)
Colombia	(Néstor Osorio, Permanent Representative)
France	(Gérard Araud, Permanent Representative)
Germany	(Christophe Eick, Minister Plenipotentiary)
Guatemala	(Gert Rosenthal, Permanent Representative)
India	(Hardeep Singh Puri, Permanent Representative)
Morocco	(Mohammed Loulichki, Permanent Representative)
Pakistan	(Raza Bashir Tarar, Deputy Permanent Representative)
Portugal	(José Filipe Moraes Cabral, Permanent Representative)
Russian Federation	(Nikita Y. Zhukov, Deputy Permanent Representative)
South Africa	(Baso Sangqu, Permanent Representative)
Togo	(Kodjo Menan, Permanent Representative)
United Kingdom of Great Britain and Northern Ireland	(Philip Parham, Deputy Permanent Representative)
United States	(Susan E. Rice, Permanent Representative, Head of Mission)

The representative of China was unable to join the mission.

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2. The primary purpose of the mission, as set out in its terms of reference, was to reaffirm the commitment of the Security Council to assist the Government and people of Haiti to rebuild their country, to consolidate peace, democracy and stability and to promote recovery and sustainable development, recognizing that Haiti has made considerable strides since the tragic earthquake of 12 January 2010 yet continues to face significant security, humanitarian and development challenges. The mission also wished to express the full support of the Security Council for the United Nations Stabilization Mission in Haiti (MINUSTAH) and to assess the progress made in the implementation of its mandate.

3. This was the third visit of the Council to Haiti since the establishment of MINUSTAH in 2004, the Council having previously visited in April 2005 and March 2009. The terms of reference of the mission, which were agreed on 6 February 2012, and its programme of work are contained in annexes I and II to the present report.

4. The mission left New York on 13 February and returned on 16 February. The mission met with the President of Haiti, Michel Joseph Martelly, the Prime Minister, Garry Conille, the Minister for Foreign Affairs, Laurent Lamothe, the Minister of Justice and Public Security, Pierre Michel Brunache, the Minister of the Interior, Thierry Mayard-Paul, and a number of other senior Government officials; the President of the Chamber of Deputies and other members of Parliament; representatives of civil society; and local officials of the Nippes and North Departments. The mission also met with senior MINUSTAH officials including Mariano Fernández, Special Representative of the Secretary-General in Haiti; Major General Luiz Ramos, Force Commander; and Marc Tardif, Police Commissioner.

5. The mission visited Port-au-Prince, Miragoâne (Nippes Department), Léogâne (West Department), Cap-Haïtien (North Department) and the Caracol industrial site (North-East Department). The mission also visited various MINUSTAH military and police facilities, including the Delmas 33 police station, as well as the Carradeux camp for internally displaced persons and a cholera treatment centre in Port-au-Prince.

II. Key issues

Overall security situation

6. While the overall security situation in Haiti has remained stable, albeit fragile, and political violence was largely absent, the mission noted that occasional violent incidents continue to occur, including violent demonstrations, shootings involving small firearms, sexual and gender-based violence and a range of crimes. Instances of civil unrest continue to be linked primarily to political uncertainties and socioeconomic grievances. In the light of the persistent political tensions described below, an increase in politically motivated violence cannot be ruled out. During the visit of the Council, a number of sporadic and limited civil demonstrations occurred and appeared to be timed to coincide with the visit. Those demonstrations centred on allegations of misconduct by MINUSTAH personnel, as well as on allegations that MINUSTAH contingents had introduced cholera to Haiti. The demonstrations took place without incident.

7. The military component of MINUSTAH has continued to play its role in the maintenance of overall security and stability, including during electoral processes. It has taken an active part in various anti-crime operations such as "Operation Hope" in Port-au-Prince, which was carried out jointly with the Haitian National Police and the MINUSTAH police component in October 2011. Haitian and MINUSTAH interlocutors informed the mission that recent joint security operations demonstrated an improved level of integration between the Haitian National Police and MINUSTAH police and military components. In this regard, the mission noted that MINUSTAH police and military components have established procedures to ensure that the Haitian police lead any joint operations. The mission met with the heads of military contingents.

8. The continued stability, in particular in some parts of Haiti, has enabled MINUSTAH to initiate a partial withdrawal of the post-earthquake surge of military and police components. MINUSTAH formed police units have taken on increased security responsibility following those withdrawals. During its visit to Miragoâne, the mission was briefed on the transfer of responsibility from Uruguayan military forces to a Bangladeshi formed police unit and witnessed their effectiveness. Overall, the local unit of the Haitian National Police expressed satisfaction with its new partnership with the formed police unit. The mission noted the increased potential for collaboration offered by the transfer of responsibility from an international military force to an international police force. The mission observed, however, that critical capabilities, most importantly in the area of crowd control, remain underdeveloped and that the presence of the Haitian National Police in the regions remains inadequate, thus requiring continued support. The Haitian National Police and the Bangladeshi formed police unit provided the mission with a demonstration of joint crowd-control operations.

9. Although the performance of the Haitian National Police has been slowly improving, the mission noted that it still lacks the quantity and quality of personnel necessary to assume full responsibility for internal security. The capacity of the Haitian police force, which currently stands at approximately 10,000 officers, was further enhanced with the graduation in May 2011 of the twenty-second promotion class of cadets. The pace of recruitment, vetting and training, however, has been unsatisfactory. The mission was informed that the start of training for the next group of cadets was delayed owing to funding shortfalls and other administrative difficulties. The mission heard accounts that the slower-than-expected pace of development of the Haitian police risks fuelling support among certain Haitian sectors for the near-term creation of a national army.

10. The security situation in camps for internally displaced persons has shown signs of improvement. MINUSTAH police, in co-location with the Haitian National Police, maintain a 24-hour security presence and robust patrols in seven high-risk camps and conduct daily rotational patrols in approximately 150 so-called "non-permanent" camps. The presence of MINUSTAH police facilitates the registration of complaints and grievances by residents. Incidents of sexual and gender-based violence remain prevalent, however, and many women still do not feel safe in the camps; even though reporting of such crimes has increased, significant underreporting continues.

Political situation

11. The members of the Security Council found the current political situation disturbing, as it is marked by dysfunction within the executive branch and by deep divisions between the latter and Parliament. Despite the important achievement of having successfully managed a transfer of power from one democratically elected president to another from the opposition party in 2011, the situation continues to be marred by increasing tensions between the executive and legislative branches of Government, who have, so far, failed to develop a constructive relationship.

12. In particular, since the President took office in May 2011 and the Prime Minister in October 2011, the new authorities have not initiated the process leading to the holding of long-delayed local and senatorial elections. The Government has also remained unclear regarding its intentions with respect to resolving the lingering controversy over the promulgation of constitutional amendments. Finally, four months into the new budget year, Parliament has yet to debate or endorse a State budget.

13. During the meeting with members of Parliament, the fraught nature of executive-legislative relations became apparent. Parliamentarians complained bitterly about the President's purported unwillingness to cooperate with Parliament and clearly stated their fear that Haiti risked losing the democratic gains made in recent years. Members of Parliament stressed the fact that the failure to pass much-needed legislation was due to the unwillingness of the executive branch to propose new laws. The mission noted that the attention of the Parliament appeared to remain focused on the investigation into allegations that various Government officials, including President Martelly, hold multiple citizenship. The mission urged the legislators to open a constructive dialogue with the President and the executive branch on a common agenda for the country. Parliamentarians shared frank and mostly critical views on MINUSTAH. They called for the mission to compensate cholera victims and to swiftly punish those within MINUSTAH responsible for incidents of sexual exploitation and abuse of Haitians.

14. The mission found that President Martelly is focused is on tackling the manifold challenges of the country, such as education, job creation and environmental protection. In a meeting with the mission, the President outlined a vision for his country focused on the need to change the image of Haiti in order to attract investment, create jobs and promote sustainable economic growth. The mission heard the President's warning that a number of political spoilers, including members of Parliament, were intent on creating instability in a bid to derail his vision. The President also insisted on the reinstatement of the Haitian army as one of the pillars of his vision and a key benchmark for the eventual withdrawal of MINUSTAH. In that regard, the Security Council mission underscored the importance of completing the reform and strengthening of the Haitian National Police as a fully viable security force.

15. Meanwhile, the Prime Minister appeared increasingly marginalized during the visit. Despite his well-articulated agenda and willingness to engage positively with the various political actors, his position seemed that of an outsider within his own Government. During the visit, numerous interlocutors told the mission that they expected him to resign soon or be forced from office. The Prime Minister subsequently resigned on 24 February 2012.

16. With those tensions and challenges, it was clear that the political situation remains one of the main sources of potential instability and one of the fundamental obstacles to reconstruction and development in Haiti.

Rule of law and institutional development

17. The weakness of Haitian institutions, particularly those responsible for the rule of law, remains one of the major obstacles to the long-term stability and development of the country. Of chief concern to the mission was the state of development of the Haitian National Police. United Nations police and Haitian National Police officials emphasized that, while progress had been halted by the earthquake, efforts to build the capacity of the institution had started anew with the relaunching of recruitment, training and vetting activities, as well as the construction of new premises to replace those damaged or destroyed in the earthquake. Those areas of cooperation were reflected in the new five-year Haitian National Police development plan 2012-2016 that was jointly drafted by the Haitian authorities and the MINUSTAH police component, with an emphasis on police professionalization, particularly for mid-level management, and gender-sensitivity training. Enhanced donor coordination was also a goal under the plan.

18. In quantitative terms, the current national police strength stands at 10,106 police officers, including 760 women. The mission noted with concern during its visit to the Haitian National Police Academy that the current pace of recruitment and training did not appear sufficiently sustained to allow the Haitian police to reach the target of 16,000 officers envisaged in the current draft of the Haitian National Police development plan. The mission heard differing estimates from different interlocutors on the number of Haitian National Police officers ultimately required, with estimates ranging from the 16,000 agreed in the development plan to 20,000 or 22,000. Training any fewer than 1,000 officers a year would prevent the institution from meeting that target. Yet the twenty-third promotion group, scheduled to begin its seven-month training in April 2012, consists of only 550 cadets. Moreover, commencement of training was delayed owing to miscommunication over funding between the Haitian authorities and key bilateral partners. Further causes of the delay included divergent views over the timing and duration of the course and class size.

19. With respect to the quality of the Haitian National Police, several interlocutors emphasized that mid-level management was being specifically targeted with a dedicated six-month training course, in addition to other specialized courses. The completion of the vetting and certification process, relaunched after many files had been lost in the earthquake, was also part of the development plan. Special mention was made of the training being provided to the national police on sexual and gender-based violence. Through this project, six MINUSTAH police officers were training Haitian investigators on how to investigate sexual crimes in a gender-sensitive manner. The Haitian police still lacked a proper plan to address sexual crimes, however, as well as adequate facilities: there were no private rooms for victims to report such crimes.

20. The lack of capacity of Haitian institutions responsible for other aspects of the rule of law was also of great concern. A visit to a judicial tribunal in Cap-Haïtien illustrated many of the challenges associated with the fair application of the law in

Haiti. In their dialogue with the mission, the court judges and prosecutors stressed that inequities in access to justice were extremely problematic, as the average citizen often lacked the resources to hire a lawyer. Also raised was the issue of using French rather than Creole as the language of the courts. The judges responded that the translation provided was sufficient to ensure the fairness of proceedings. They acknowledged, however, problems of competence within their professional ranks and suggested that the school for magistrates needed to be strengthened. The judges and prosecutors also emphasized their lack of independence as a major challenge for the judicial system. Judges receive mandates from the executive branch and are under the authority of the Minister of Justice rather than that of the Supreme Court, raising concerns about the politicization of justice. Of note, during the mission, Mr. Martelly announced the nomination of four of the remaining five judges for open seats on the Supreme Court, leaving the court one nomination away from its full and proper functioning.

21. The mission also gained first-hand insight into the problems plaguing the Haitian corrections system. A visit to a prison in Cap-Haïtien was emblematic of the deficiencies plaguing the prisons in Haiti, such as extreme overcrowding, excessive pretrial detention, food and water shortages, non-separation of minors and adults and poor hygiene. Overcrowding was also apparent in the tiny pretrial detention cell on the premises of the tribunal. In their dialogue with the mission, the court judges stressed that issues of pretrial detention were outside their area of responsibility, as the matter fell under the purview of the Haitian National Police and the National Prison Administration. They did acknowledge, however, that the unwillingness of citizens to serve on juries had a negative impact on the timely holding of hearings, compounding delays. The Council mission noted with deep concern the inadequate facilities for the court and its shortage of qualified and trained personnel.

Humanitarian situation and recovery from the earthquake

22. The mission was able to see the remaining impact of the destruction and displacement caused by the earthquake and the progress made in removing rubble and rebuilding and resettling some of the displaced persons. A tour of downtown Port-au-Prince showed that a number of buildings had been utterly destroyed, including the Presidential Palace. At the same time, there had been a reduction of 119,000 (or 19 per cent of the total) in the number of displaced persons, as well as a reduction in the number of sites since June 2011.

23. Part of the progress was a result of greater efforts by the Government of Mr. Martelly to "resettle" the individuals living in camps. For instance, the mission was briefed on the "16/6" programme. The Government pilot programme, supported by MINUSTAH, sought to rehabilitate 16 neighbourhoods through the reconstruction of improved housing, the provision of access to basic services to the community and the creation of income-generating opportunities. In parallel, the project aimed to facilitate the return and relocation of the displaced people currently living in six camps, hosting about 5,000 households, to the 16 districts, spread over the municipalities of Port-au-Prince, Pétionville and Delmas. Mr. Martelly also made reference to another project, funded by Canada, to move 20,000 people out of the Champ de mars camp in central Port-au-Prince.

24. The mission learned that there were still approximately 515,000 camp residents, including internally displaced persons, living in 707 sites, the majority of which were located in or around Port-au-Prince. The mission visited the Carradeux camp, where camp residents were still dependent on assistance for their basic survival. Council members discussed security in the camp with representatives of international and national police assigned there. Sexual and gender-based violence remain key concerns. A MINUSTAH gender unit was training the local police to interview victims, and it was reported that, as a result, camp residents were increasingly contacting both the national and international police to report cases. That was viewed as a sign of growing public confidence in the response of the authorities and a sign of productive cooperation between MINUSTAH and the Haitian National Police.

25. Invited into their tents by camp residents, Council members noted the meagreness of their belongings but also the profound dignity with which they kept their homes orderly. Speaking with women leaders in the camp, Council members took note of a long list of needs, including security, schools, access to health services and job opportunities. With respect to security, the women observed that while MINUSTAH provided backup and security for the Haitian National Police, no one was providing security for them. Greater police presence was needed, including around the tents that served as schools. The women wanted real school structures for their children and ambulances to transport the sick to hospital.

26. Council members also visited a cholera treatment centre that was part of the Haitian Group for the Study of Kaposi's Sarcoma and Opportunistic Infections and was operating in part with funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria. The centre was initially established to treat HIV/AIDS and tuberculosis but had expanded operations to respond to the cholera epidemic when it broke out in October 2010. As at 8 January 2012, the number of cumulative cases of infected persons stood at 524,861, while the epidemic had killed 7,018 people since the beginning of the outbreak. The reported decrease in the infection and fatality rates could be observed at the centre, as many of its cholera treatment beds were currently empty, but infection rates were expected to increase again in the rainy season, and there was a fear that the camps for internally displaced persons would be particularly vulnerable.

27. During the course of the visit, the mission was also given the opportunity to visit the base of one of the MINUSTAH military engineering units and was briefed on their continued support to a wide range of recovery activities. The briefing noted that work carried out by the military engineering company of the Republic of Korea in Léogâne provided examples of how MINUSTAH conducted projects involving the removal of earthquake-damaged Government buildings, the preparation of land for the construction of new buildings, road repair, well drilling and river and canal drainage in preparation for the rainy season.

Social and economic development

28. Socioeconomic conditions remain a major concern. Haiti is ranked 158th out of 187 in the Human Development Index. Three quarters of the population live on less than $2 a day, while roughly half of the population must survive on less than $1 a day. That level of poverty is clearly a factor in the long-term stability of Haiti.

Many Haitian interlocutors, particularly at the local level, emphasized the important role that assistance from the international community was playing in the reconstruction and development of Haiti. In particular, during the visit to Parliament, members of the legislature insisted that more international assistance and more funding from donors were required, although Parliamentarians told the mission that current international assistance was not taking sufficient account of Haitian national wishes.

29. By contrast, the President and his team were eager to promote a new image of Haiti to attract foreign investors. Earlier this year, Mr. Martelly attended the World Economic Forum in Davos, Switzerland, and upon his return launched a project that aims to reduce the time needed to register a business in Haiti from 105 days to 10 days. The Caracol industrial park near Cap-Haïtien is slated to create up to 60,000 jobs. Despite these positive steps, the mission noted that the Government has been slow to propose business-friendly reforms to the legislature or to articulate a clear strategy for removing structural constraints to private investment and job creation such as the absence of a system to regulate land registration and property rights. The overall weakness of the rule of law institutions in Haiti also hinders foreign investment.

30. While stressing the business side of his agenda, Mr. Martelly also acknowledged that the Haitian State needed to find ways to address the problem of the socioeconomic marginalization of such a vast segment of the population. He told Council members that he intended to put in place some social measures, such as offering free schooling to 1.1 million children, as well as a system of vouchers for mothers to receive food products and vaccinations for their children. He also wanted to provide loans to the poor, as well as cash transfers using cell phones. In addition, the Government was looking at how Haiti could develop a social security system. Those measures, however, were still in the proposal phase.

Role of the United Nations Stabilization Mission in Haiti

31. As the focus of the efforts of the United Nations in Haiti has begun to shift away from addressing the immediate aftermath of the earthquake, MINUSTAH has increasingly directed its energies towards fostering cooperation between the two branches of Government and strengthening the capacity of Haitian public and civil society institutions at both the central and local levels. The mission welcomed the ongoing efforts of the Government and international partners to reach agreement on mutual responsibilities, which would form the basis of systematic collaboration on institution-building to enable the Haitian State to fully and effectively lead the country's economic and social recovery and develop functioning rule of law institutions.

32. Of significant concern to the Council mission was the widespread criticism levelled by a wide variety of interlocutors against MINUSTAH with respect to its alleged role in the cholera epidemic, and allegations of sexual exploitation and abuse of Haitian citizens by MINUSTAH personnel. Members of Parliament, local authorities and members of civil society expressed anger and frustration over these issues. The criticism, however, was countered by the much more positive feedback that Council members received from representatives of the Haitian National Police, civil society and individuals living in camps regarding their interactions at the

working level with MINUSTAH personnel, whether through mentoring and training or through services provided.

33. Finally, noting the ongoing efforts of the Haitian authorities to attract foreign investment, the mission has taken note of the stated concerns of Mr. Martelly regarding the current wording of the Council resolutions on MINUSTAH, which state that "the situation in Haiti continues to constitute a threat to international peace and security in the region" (see, for example, resolutions 2012 (2011), 1944 (2010) and 1892 (2009)).

III. Observations

34. The elections and the peaceful transfer of power in Haiti from one elected Government to another was a critical milestone in the history of the country. The Council commends the Government and people of Haiti for this historic achievement. We remain concerned, however, at the often difficult relationship between and within the executive and legislative branches of Government. We encourage all Haitian political leaders to put aside their differences and work together in a spirit of compromise to tackle critical challenges, including making progress on recovery and development to deliver real benefits to the Haitian people, undertaking needed elections, completing needed constitutional reforms, strengthening the rule of law and protecting human rights.

35. Beginning preparations for required partial legislative and local elections, including through the establishment of a credible electoral council, will be a critical next step in the consolidation of democracy in Haiti. The Council commends the support that MINUSTAH has provided to the electoral processes so far and reiterates that the international community stands ready to assist with the electoral process as it has done in the past.

36. The Council reiterates the importance of completing the reform and strengthening of the Haitian National Police so that it can assume full responsibility for security in the country, including reaching agreement among all stakeholders on what size force would be required for that purpose.

37. Council members are concerned by increasing reports that armed former military personnel have occupied former training camps in some regions. Any decision to re-establish the Haitian armed forces should be the result of a transparent process that includes the fundamental principles of democratic accountability and civilian oversight.

38. The Council has seen first-hand the challenges that Haiti faces in building critical rule of law institutions, including the police, judiciary and the corrections system. We encourage Haitian leaders to redouble their efforts to strengthen the rule of law, establish more credible State institutions and reform the legal system. Those steps are critical for the foreign investment that Haiti requires to build a more prosperous future for all its people.

39. Haiti has made significant progress in its recovery from the devastating January 2010 earthquake. The Council commends the heroic efforts of so many Haitians and their international partners in this effort, the results of which we saw in many places we visited. Much more work is needed, however.

40. Council members noted that while many Haitians recognize that MINUSTAH plays an important role, they continue to have deep concerns about aspects of the Mission, including allegations of sexual exploitation and abuse and claims that United Nations personnel introduced cholera into Haiti. The Council mission underscores the importance of rigorous enforcement of the United Nations zero-tolerance policy on sexual exploitation and abuse and underscores the importance of thoroughly investigating and bringing to justice any personnel responsible for such misconduct.

41. The Council commends the efforts of the leadership of MINUSTAH for the ongoing orderly drawdown requested in Security Council resolution 2012 (2011). It is a critical step that will ensure that MINUSTAH is properly configured to address the challenges that Haiti faces. Yet it remains critically important that as MINUSTAH undertakes further steps, strengthened Haitian institutions are capable of assuming greater responsibility for the security and the rule of law. The Council notes the importance of MINUSTAH planning for future drawdown and reconfiguration as progress is made in building the capacity of the Haitian National Police.

Annex I

Terms of reference for the Security Council mission to Haiti

The terms of reference are to:

(a) Reaffirm the continued support of the Security Council for the Government and people of Haiti to rebuild their country, consolidate peace, democracy and stability and promote recovery and sustainable development while recognizing that Haiti has made considerable strides since the tragic earthquake of 12 January 2010 yet continues to face significant security, humanitarian and development challenges;

(b) Assess the implementation of relevant Security Council resolutions, in particular resolution 2012 (2011), and review the progress the Government of Haiti has made, with the assistance of the international community, particularly the United Nations Stabilization Mission in Haiti (MINUSTAH), in addressing the interconnected challenges in the areas of stability and security, including strengthening the rule of law and protecting civilians; economic and social development; institutional reform and governance, including elections; border management; and human rights;

(c) Express strong support for MINUSTAH and the Special Representative of the Secretary-General and their efforts to improve stability and governance in Haiti, and create conditions conducive to the security, reconstruction and development of Haiti;

(d) Assess the ongoing strengthening of the Haitian National Police and the increasing exercise by national authorities of the responsibility of the Haitian State for the maintenance of stability and security in the country, examine efforts by MINUSTAH to increase coordination with the Haitian National Police and to strengthen their capacity in order for them to take full responsibility for security needs, underscore the importance of adequate funding for the Haitian National Police, encourage the Government of Haiti to take advantage of the support being provided by the international community to guarantee the provision of adequate security for the Haitian people, and assess the full range of the rule of law, security and security-related structures of the country;

(e) Reiterate the importance of immediate, medium- and long-term sustained efforts to support the reconstruction of Haiti; consolidate democracy, peace and stability; ensure the protection of human rights; and promote sustainable development; while bearing in mind the ownership and primary responsibility of the Government and people of Haiti;

(f) Evaluate and discuss with the Government of Haiti the progress in earthquake recovery, including the overall humanitarian situation, rubble removal, housing reconstruction and the rebuilding of critical infrastructure; evaluate the impact of those efforts on security, stability and development; and assess the capacity of the Government of Haiti and the private sector to carry out civil engineering and reconstruction tasks, including consulting the Government of Haiti on how capacity can be increased so that Haitians take a wider role in reconstruction;

(g) Review and assess the efforts of the Government of Haiti, with the support of MINUSTAH and the cooperation of Member States, to address challenges to security, including threats to internally displaced persons and other vulnerable

groups; sexual and gender-based violence; cross-border trafficking of persons, drugs and arms; and other criminal activities;

(h) Urge all relevant political actors in Haiti, in particular the executive and legislative branches, to engage in an effective dialogue towards a political agreement that would consolidate a concrete forward agenda for progress in key areas, such as the security, budget, recovery and development priorities of Haiti; elections and electoral reform, including the participation of women in the electoral process; and the completion of constitutional reform;

(i) Review the progress achieved so far, and assess the state of planning and implementation of the upcoming legislative and local Government elections;

(j) Underscore the importance of mutual commitments made by the international community and Haiti and convey the importance of the fulfilment of all pledges of support to reconstruction;

(k) Assess the impact of the health challenges facing Haiti on the security and stability of the country and examine the efforts of the United Nations system, particularly MINUSTAH, to assist the Government of Haiti in addressing emerging health issues;

(l) Underscore the importance of full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse and assess steps taken to implement the policy;

(m) Review the progress of implementation by MINUSTAH of the force reduction authorized by the Security Council in its resolution 2012 (2011), assess planning to encourage greater Haitian ownership of security and reconstruction activities and examine the potential for adjustments to MINUSTAH force configuration based on the overall improved security situation on the ground, taking into account the impact of social and political realities on stability and security, the increasing development of Haitian State capabilities, including the ongoing strengthening of the Haitian National Police, and the increasing exercise by the national authorities of their responsibility for the maintenance of stability and security.

Annex II

Schedule of meetings of the Security Council mission to Haiti

Monday, 13 February 2012

3.30 p.m.	Arrival in Port-au-Prince from New York
3.45 p.m.	Press conference
4.15 p.m.	Meeting with the Special Representative of the Secretary-General
7 p.m.	Meeting and dinner hosted by Prime Minister Garry Conille

Tuesday, 14 February 2012

8 a.m.	Travel through Port-au-Prince
9 a.m.	Meeting with Parliamentarians
10.30 a.m.	Military briefing in Fort National military camp
12.20 p.m.	Departure to Miragoâne
12.50 p.m.	Visit in Miragoâne and United Nations police/Haitian National Police activities
1.50 p.m.	Departure from Miragoâne
2.15 p.m.	Arrival in Léogâne and activities with engineers from the Republic of Korea
4.45 p.m.	Departure from Léogâne
5 p.m.	Arrival in Port-au-Prince
5.30 p.m.	Meeting with President Michel Martelly
8 p.m.	Reception hosted by the Special Representative of the Secretary-General

Wednesday, 15 February 2012

8.20 a.m.	Departure from Port-au-Prince to Cap-Haïtien
9.50 a.m.	Arrival in Cap-Haïtien and visits in town
noon	Departure to Caracol industrial site
12.20 p.m.	Arrival in Caracol and site visit
12.45 p.m.	Departure from Caracol
1.30 p.m.	Arrival in Port-au-Prince and lunch with military units
3.15 p.m.	Police briefing at Delmas 33 police station
4.10 p.m.	Departure from Port-au-Prince to New York for part of the delegation

Thursday, 16 February 2012

8.40 a.m.	Visit to police academy in Port-au-Prince
9.30 a.m.	Visit to camp for internally displaced persons in Port-au-Prince
11.30 a.m.	Visit to cholera treatment centre in Port-au-Prince
1 p.m.	Lunch with civil society groups
2.30 p.m.	Press conference
4.10 p.m.	Departure from Port-au-Prince to New York for the remainder of the delegation

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Security Council

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Third report of the Secretary-General pursuant to resolution 2001 (2011)

I. Introduction

1. In paragraph 6 of its resolution 2001 (2011), the Security Council requested me to report to it every four months on the progress made towards the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the third submitted pursuant to that resolution. It provides an update on the activities carried out by the United Nations in Iraq since the issuance of my previous report, dated 29 March 2012 (S/2012/185). It covers key political developments and regional and international events as well as operational and security matters concerning Iraq.

II. Summary of key political developments pertaining to Iraq

A. Internal developments

2. During the reporting period, tensions between political blocs escalated and the national conference proposed by the President of Iraq, Jalal Talabani, and initially scheduled to be held on 5 April lost momentum. Meeting in Erbil on 28 April, following three days of consultations, President Talabani; the President of the Kurdistan Regional Government, Massoud Barzani; the leader of the Al-Iraqiya bloc, Ayad Allawi; the Speaker of the Council of Representatives, Usama al-Nujaifi; and the leader of the Sadrist Trend, Muqtada al-Sadr, called for a solution to the political impasse based on the Constitution and dialogue.

3. On 2 May, a delegation from the Sadrist Trend delivered a nine-point letter, signed by all participants in the Erbil meeting except President Talabani, to the leader of the National Alliance, Ibrahim al-Jaafari. The letter contained a number of demands, including non-interference in the work of the security forces, activation of the role of the Council of Representatives and limitation of the Prime Minister's position to two terms, and warned against the emerging trend of "dictatorship". All demands were to be met within 15 days or to be followed by a vote of no confidence against the Government. In response, the National Alliance reaffirmed its commitment to participating in a national conference to address the situation. On 17 May, President Talabani announced an eight-point initiative calling for adherence

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to the Constitution and other agreements as well as the cessation of negative media campaigns.

4. When the deadline expired on 17 May, representatives of Al-Iraqiya, the Kurdistan Alliance and the Sadrist Trend, meeting in Najaf on 19 May, set a one-week deadline for the National Alliance to replace the Prime Minister. They also sent a memo to President Talabani asking him to submit a request for a vote of no-confidence to the Council of Representatives within one week's time. On 9 June, the President turned down the request, stating that the number of members of the Council of Representatives who had signed the request, 160, fell short of the constitutionally mandated absolute majority threshold of 163. The Prime Minister's opponents later announced that they would pursue the alternative constitutional route of withdrawing confidence from the Prime Minister, whereby he would appear for questioning before the Council of Representatives and face a no-confidence vote if requested by one fifth of the members of the Council, as stipulated in article 61(8)(B)(2) of the Constitution.

5. From 1 to 9 April, the Vice-President of Iraq, Tariq Al-Hashimi, who is facing terrorism charges, visited Qatar and Saudi Arabia for meetings with senior officials. Since 9 April, the Vice-President has been in Turkey. His trial in absentia started on 3 May. The Human Rights Office of UNAMI has monitored the sessions of the trial, which have thus far been held on 15, 20 and 31 May and 19 June.

6. In April, political parties attempted to summon the Minister of Higher Education, Ali al-Adeeb, from the State of Law Coalition for questioning about the alleged sectarian bias in academic appointments and the enforcement of "de-Baathification" measures in Iraqi universities. On 7 May, following a legal challenge, the Federal Supreme Court imposed new procedural requirements for the exercise of parliamentary prerogatives in questioning ministers and scrutinizing ministerial activities pursuant to article 61(7)(C) of the Constitution. The ruling states that the legislature's request to question a minister must: (a) include specific allegations of constitutional and legal infractions; (b) provide specific details about relevant facts; and (c) provide evidence of the alleged breaches of the law or the Constitution and of the resulting material damage. This ruling has raised concerns about the constitutional framework of checks and balances as well as parliamentary independence from the executive branch.

7. On 3 May, the Council of Representatives selected the 19 judges to serve at the Court of Cassation (Court of Appeal). No women were appointed; one nominee was rejected on de-Baathification grounds.

8. On 1 April, the Kurdistan Regional Government halted oil exports until further notice, arguing that the Government of Iraq owed $1.5 billion to foreign oil companies working in the region. Furthermore, the Regional Government stated that the Government of Iraq should seek its approval before signing agreements for the development of the Kirkuk oil field. In response, the Government of Iraq reaffirmed its primacy in dealing with international oil companies.

9. On 5 April, the Kurdistan Regional Government's new 19-member Cabinet, headed by Nechirvan Barzani of the Kurdistan Democratic Party, was inaugurated. Imad Ahmed of the Patriotic Union of Kurdistan took the oath as Deputy Prime Minister. The opposition Gorran, Kurdistan Islamic Union and Kurdistan Islamic

Group parties boycotted the vote, citing the alleged failure of the ruling parties to implement reforms.

10. During the reporting period, Arabs, Kurds and Turkmen representing Kirkuk in the Council of Representatives presented proposals for the draft election law that are currently under review by the Legal Committee of the Council of Representatives. Significant disagreement remains with regard to the system of representation, the voter list and the date of the election.

11. On 26 April, the Chaldean Catholic Archbishop of Kirkuk, Louis Sako, chaired a conference in Kirkuk with the theme "Building bridges for peace". Sponsored by the local archdiocese, the conference concluded with the signing of a seven-point declaration calling for the peaceful coexistence of Kirkuk ethnic components, the resolution of Kirkuk's outstanding issues through dialogue, and the reaching of consensus on a formula for holding Governorate Council elections.

12. On 8 May, the Council of Ministers met in Kirkuk. The Prime Minister of Iraq, Nuri al-Maliki, emphasized the "Iraqi identity" of the city. Kurdish ministers boycotted the session. On the following day, the Deputy Prime Minister of the Kurdistan Regional Government headed a ministerial delegation to Kirkuk and expressed his Government's readiness to support Kirkuk through the delivery of services and projects. The Council of Ministers also held meetings in Mosul on 29 May and in Nassiriya on 12 June.

13. On 4 April, the Kurdish Brotherhood List, which holds 12 seats in the Council of the Governorate of Ninewa, ended its three-year boycott of the Council and its dispute with the Al-Hadbaa List, following the Governorate Council elections held in January 2009.

B. Regional and international developments

14. On 29 March, Iraq made an important step towards full reintegration into the Arab world by hosting, in Baghdad, the twenty-third summit of the League of Arab States. Twenty-one of the 22 States members of the League attended the summit. I also attended the summit and held meetings with regional and national leaders. On 23 and 24 May, Iraq also hosted talks between the Islamic Republic of Iran and the "five plus one group" on the Iranian nuclear programme.

15. The bilateral relations between Iraq and Kuwait saw noticeable improvement during the reporting period. The second meeting of the Joint Iraq-Kuwait Ministerial Committee was held in Baghdad on 29 April, one month after the historic visit of the Emir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, to Baghdad. The meeting resulted in the creation of a joint commission to manage the navigation of the Khor Abdullah shared waterway. In addition, the parties agreed to take measures necessary for the maintenance of their common boundary and the enhancement of joint security. Kuwait also indicated that it would open consulates in Basra and Erbil.

16. At the joint request of the Governments of Iraq and Kuwait, the United Nations reactivated the Iraq-Kuwait boundary maintenance project pursuant to Security Council resolution 833 (1993). From 4 to 11 June, the United Nations conducted a field assessment mission and held technical meetings in Kuwait and Iraq with delegations appointed by their respective Governments. The parties jointly

requested the United Nations to begin the maintenance work (phase III of the project) by 31 October 2012, subject to the fulfilment by the parties of the prerequisites for the commencement of the field maintenance work, including the removal of inter-pillar obstacles. The United Nations will continue to support the parties' commendable efforts towards the completion of the project in a swift and flexible manner.

17. In the context of his mandate, my High-level Coordinator on the issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains, Gennady Tarasov, visited Kuwait in April and Iraq and Kuwait in May to hold consultations with the Iraqi and Kuwaiti authorities as well as other stakeholders. While extending the financing for his mandate until 31 December 2012, the Security Council supported my recommendation that Iraq and Kuwait begin exploring other arrangements to consolidate and ensure continued cooperation in the search for missing persons and property, including the national archives.

18. During the reporting period, Turkish armed forces carried out several military operations, including aerial bombing and artillery shelling, in the Kurdistan Region of Iraq against the Kurdistan Workers Party armed group in response to its terrorist activities.

III. Activities of the United Nations Assistance Mission for Iraq and the United Nations country team

A. Political activities

19. Amid the growing political impasse, UNAMI intensified its consultations with a wide spectrum of interlocutors to encourage them to find common ground and develop a compromise solution to the current impasse. During his visit to Erbil on 29 and 30 April, my Special Representative met with President Talabani, President Barzani, Ayad Allawi and Muqtada al-Sadr. On 12 June, he met with President Talabani and President Barzani in the Kurdistan Region. During the reporting period, he also met with Ibrahim al-Jaafari; Ammar al-Hakim, head of the Islamic Supreme Council of Iraq; senior members of the Gorran Party; and Grand Ayatollah Sayyid Ali al-Sistani. His discussions were focused on the need for political blocs to resolve their differences through direct dialogue in accordance with the Constitution. My Special Representative offered the Mission's assistance.

20. UNAMI also continued to engage on the constitutional agenda through meetings with members of the Council of Representatives from various blocs to urge them to address relevant legislative processes, including those relating to the hydrocarbon law and the law on the Federal Supreme Court.

21. National reconciliation, in particular issues related to the disputed internal boundaries, remains a central pillar of the Mission's mandate and a top priority for the United Nations. While no progress was achieved in that regard, my Special Representative and my Deputy Special Representative for Political Affairs, Electoral Assistance and Constitutional Support visited Kirkuk and held consultations with the Governor, the Deputy Governor, the Chair of the Provincial Council and representatives of political blocs on the way forward with regard to holding the Governorate Council elections in Kirkuk.

22. With a view to advancing the mandate of UNAMI in terms of regional dialogue, my Special Representative visited Tehran from 5 to 9 May and met with senior officials, including the Speaker of the Majlis, Ali Larijani; the Vice-President, Mohammad Javad Mohammadizadeh; and the Minister for Foreign Affairs, Aliakbar Salehi. He discussed the implementation of the Mission's mandate and the strengthening of Iran-Iraq and regional cooperation on issues of common concern such as combating dust storms and other cross-boundary environmental issues.

23. On 6 and 7 June, on his third visit to Kuwait, my Special Representative met with the Emir; the Prime Minister, Sheikh Jaber Al Mubarak Al Hamad Al Sabah; the Minister for Foreign Affairs, Sheikh Sabah Al-Khaled Al Hamad Al Sabah; the Speaker of the National Assembly, Ahmed Al-Saadoun; and members of the diplomatic community. Welcoming the improvement in the bilateral relations between Iraq and Kuwait in the wake of his participation in the summit of the League of Arab States, the Emir expressed his hope for the swift implementation of the boundary maintenance project.

24. On 30 April and 2 and 12 May, the Security Council Resolution 1325 Group, an association of civil society organizations, conducted a series of workshops in Baghdad on a national plan for the implementation of Security Council resolution 1325 (2000). The workshop brought together parliamentarians, Government officials and civil society organizations, as well as representatives of the United Nations and donors. The Minister of State for Women's Affairs, Ibtihal Gassid al-Zaidi, emphasized that the proposed national strategy on the advancement of women would support the implementation of resolution 1325 (2000) by promoting the participation of women in peacebuilding activities. The participants raised the concern, however, that women continued to be marginalized in discussions on issues of national interest, which was impeding progress towards gender equality and women's political participation. During the reporting period, my Special Representative hosted a meeting between the Minister of State for Women's Affairs and the diplomatic community in order to raise awareness about the need to increase women's political participation.

B. Electoral assistance activities

25. During the reporting period, further progress was achieved on the selection of a new Board of Commissioners for the Independent High Electoral Commission. On 21 April, the Parliamentary Committee of Experts shortlisted 60 of the 286 most qualified applicants, taking into consideration geographical and religious diversity in accordance with the Independent High Electoral Commission law of 2007. The 60 candidates included 30 Shiites, 18 Sunnis, 10 Kurds, one Christian and one Yazidi; five women were among them.

26. From 5 to 10 May, the 60 candidates were interviewed on their knowledge of elections, public administration, constitutional law, language and information technology. Interviews were conducted in the presence of representatives of UNAMI and non-governmental organizations, and all interviews were recorded. In addition, UNAMI assisted in formulating the interview questions and provided advice on the complaint mechanism and public outreach related to the process. In the meantime, on 19 April the Council of Representatives extended the term of the current Board

of Commissioners for a three-month period until 28 July, by which time the selection of the new Commissioners was expected to be completed.

27. On 12 April, the Chair of the Independent High Electoral Commission, Faraj al-Haidari, and Commissioner Karim al-Tamimi were arrested and detained for three days for the alleged misuse of State resources to pay bonuses of about $140 from the Commission's funds to several employees of the property registration department. The arrests sparked strong reactions on the part of political blocs. On 26 April, Commissioner Usama al-Ani was arrested on charges of financial misconduct. He was released a few hours later, after questioning. On 27 April, a judicial committee was established by the Higher Judicial Council to look into the charges of corruption against Commissioners; several Commissioners have since testified before the committee. A number of other investigations are ongoing with respect to all Commissioners and the senior management of the Commission.

28. My Special Representative and my Deputy Special Representative for Political Affairs, Electoral Assistance and Constitutional Support met with the Board of Commissioners on several occasions during the reporting period and discussed the status of electoral preparations and the work of the Commission, as well as the legal and administrative challenges that the Independent High Electoral Commission has faced since the 2010 elections. The Commission has begun preparations for the holding of Governorate Council elections in those governorates not forming part of a region. These are scheduled for early in 2013 and will represent another significant electoral process across the country.

29. On 16 May, the Commission engaged the authorities of the Kurdistan Region on the pending legislative and budgetary decisions required for the holding of the Region's Governorate Council elections as scheduled on 27 September. The Commission also raised the issue of the operational challenges of the voter registration process, which had been postponed until 1 July. On 4 June, after an additional meeting with the Commission, the Region's authorities decided to indefinitely postpone the elections.

30. The United Nations integrated electoral team, comprising UNAMI, the United Nations Development Programme (UNDP) and the United Nations Office for Project Services (UNOPS), working under the overall leadership of UNAMI, continued to provide capacity-building assistance to the Independent High Electoral Commission. Areas of focus during the reporting period included public outreach, public surveys, electoral security and the updating of voter registration software. The United Nations team also supported the Commission in the initial stages of preparing for Governorate Council elections in 2013.

C. Human rights activities and developments

31. During the reporting period, there were several high-casualty attacks across the country. On 19 April, a wave of bombings and attacks in six governorates killed at least 50 people and injured some 250. On 31 May, in various attacks in Baghdad, 33 civilians were killed and 14 injured. On 4 June, a suicide attack on a Shiite religious office in Baghdad for which the Islamic State of Iraq claimed responsibility left 20 people dead and 110 injured. On 13 June, up to 27 car bombs were detonated across Iraq. In Baghdad, 10 attacks killed 33 Shiite pilgrims and security personnel and injured another 61. In Hilla, 22 people, mainly civilians,

were killed when a bomb was detonated outside a restaurant usually frequented by police personnel. On 16 June, 42 Shiite pilgrims and security personnel were killed and 135 injured in Baghdad.

32. On 9 April, the Council of Representatives voted to endorse the 11 permanent Commissioners, including two women, and three back-up Commissioners, including two women, of the first Independent High Commission for Human Rights of Iraq. The one-year process of selecting and appointing the Commissioners has been supported by UNAMI and UNDP. On 18 April, my Special Representative met with the newly endorsed Commissioners to congratulate them on their appointment and to pledge continued support for the building of a strong and credible institution.

33. The protection and integration of minority communities in Iraq constitute priorities of the Mission's work in the promotion of national reconciliation and dialogue. UNAMI continues to support the Iraqi authorities in their efforts to include minorities in all spheres of life. On 30 April, my Special Representative met with Papa Sheikh, the Grand Sheikh of the Yazidis, in Sheikhan in northern Iraq. He also visited the Lalish temple, the holiest shrine for the Yazidi community in Iraq.

34. On 22 May, UNAMI conducted a joint mission with the United Nations country team to Ninewa and met with the Committee on Ethnic and Religious Communities in Ninewa. Participants in the meeting included representatives of the Shabak, Yazidi, Christian and Turkmen communities. The minorities appealed for the Mission's intervention in resolving the issue of disputed internal boundaries through constitutional means. They also called for the ethnic and religious groups to play a larger role in policing their own communities or to be integrated into the Iraqi security forces as part of a unified army and police force.

35. The Parliament of the Kurdistan Region adopted a general amnesty law for the Kurdistan Region on 4 June, at its second hearing in that regard. The law was activated after the endorsement of President Barzani on 13 June. It had been the subject of many closed-door sessions of the regional Parliament. On 10 April, an earlier draft of the law had been adopted by the Parliament, but the bill had not been signed by President Barzani. Nine crimes are excluded from the final version of the amnesty law, including crimes relating to sexual abuse, terrorism and drug trafficking.

36. On 4 April, the President of Iraq signed a draft law on counter-trafficking. On 21 and 22 May, the International Alliance for Justice, an Iraqi non-governmental organization, with the support of the Government of Italy, organized an international conference in Sulaimaniyah on human trafficking. Participants included officials from the Government of Iraq and the Kurdistan Regional Government, as well as representatives of political parties, other non-governmental organizations and the diplomatic community. UNAMI and the International Organization for Migration briefed participants on the transnational nature of the crime of trafficking and the importance of cooperation between Iraq and other countries in the region and beyond, and emphasized the readiness of the United Nations to assist the Government of Iraq in the law's implementation.

37. During the reporting period, the Country Task Force for Monitoring and Reporting on grave violations against children, co-chaired by the United Nations Children's Fund (UNICEF) and UNAMI, verified the conflict-related killing of 52 children and maiming of 139 others. Direct attacks were reported against schools

and medical facilities, including emergency rescue teams and ambulances, as well as the alleged recruitment and use of children by armed groups such as Al-Qaida in Iraq and the Islamic State of Iraq. The Government of Iraq has yet to establish, in line with Security Council resolution 1612 (2005), a mechanism for formal interaction with the Country Task Force, as requested by the Working Group on Children and Armed Conflict (see S/AC.51/2011/6). As part of its Justice for Children programme, UNICEF trained 271 staff from the Ministries of Human Rights, Justice, Youth and Sport, Labour and Social Affairs, Education and Health on the provision of legal assistance to detained children.

38. On 3 May, UNAMI and the United Nations Educational, Scientific and Cultural Organization (UNESCO) organized a conference in Baghdad on the occasion of World Press Freedom Day. Participants included media groups, journalists, bloggers, academics, parliamentarians, civil society groups, Commissioners of the Independent High Commission for Human Rights and representatives of the international community. Discussions covered the State's commitments to media freedoms made during the universal periodic review process, threats to media freedom and the situation of journalists in Iraq, as well as an overview of current and pending legislation related to media in Iraq. Participants also discussed the draft media legislation currently under review by the Council of Representatives.

39. Journalists and media professionals in Iraq continue to face arbitrary arrest and detention and to suffer from intimidation and attacks as a result of their profession. During the reporting period, UNESCO and UNOPS trained 240 media professionals in Basra, Erbil and Baghdad on security, self-protection, risk management and trauma first aid to enable them to cope with existing professional threats and risks.

40. On 30 May, UNAMI and the Office of the United Nations High Commissioner for Human Rights published their joint annual report on the human rights situation in Iraq for 2011. The report recognizes that the Government of Iraq has made some progress in implementing measures to protect and promote the human rights of the Iraqi people. However, the impact of those measures on the overall human rights situation remains limited.

Camp New Iraq (formerly Camp Ashraf)

41. Transfers of Camp New Iraq residents to Camp Hurriya, the temporary transit location, took place on 16 April and 4 May, bringing the total number of residents in Camp Hurriya to nearly 2,000. Some 1,300 residents of Camp New Iraq have yet to be relocated. No transfer has taken place since 4 May, as the remaining residents of Camp New Iraq refused to move to Camp Hurriya as a result of several demands regarding living conditions prevailing there. The Government of Iraq opposes demands that exceed the temporary nature of Camp Hurriya and has, on several occasions, expressed to my Special Representative its determination to close Camp New Iraq.

42. UNAMI has facilitated intensive negotiations between the residents and the Government of Iraq to overcome the deadlock, with particular focus on the humanitarian needs of the residents. On 11 and 23 June, in the light of the lack of progress in the negotiations between the two sides and the lack of willingness on the part of third countries to receive eligible residents of Camp Hurriya, my Special Representative issued statements urging the residents and the Government of Iraq to

cooperate for the swift and peaceful completion of the relocation process. This would require additional efforts by the Government of Iraq to meet the humanitarian needs of the residents and greater flexibility on the part of the residents with respect to the remaining transfers.

43. In parallel to the relocation process, as at 28 June UNHCR had completed the registration of 1,765 individuals and conducted refugee status determination interviews for 509 asylum seekers. A total of 283 individuals have been granted refugee status, while the other cases are being reviewed.

44. Simultaneously, UNHCR is seeking durable solutions for those falling under its mandate, through the resettlement, consular and/or parole channels, as well as through voluntary repatriation to the Islamic Republic of Iran. In June, a delegation from the Government of Iraq visited Geneva, Brussels and Paris to urge States members of the European Union to offer resettlement opportunities. Without member States' generosity and strong commitment to accept refugees and other ex-residents of Camp New Iraq on their territories, no durable solution can be achieved.

D. Development and humanitarian assistance

45. The humanitarian crisis in the neighbouring Syrian Arab Republic continues to spill over into Iraq. As at 10 June, Iraq hosted 5,406 Syrian refugees, a much smaller number compared with flows of refugees to Jordan, Lebanon and Turkey. In response, local authorities established camps in Dohuk, Anbar and Diyala governorates. In turn, the Syrian Arab Republic hosts the largest number of Iraqi refugees, including 87,000 who have been registered by UNHCR.

46. Against this backdrop, UNAMI is working closely with the coordination mechanism established in the Syrian Arab Republic by the Office for the Coordination of Humanitarian Affairs. Humanitarian field staff in Iraq are monitoring the situation along the border with the Syrian Arab Republic to ensure the readiness of the United Nations to respond to any population movements into Iraq. In accordance with its mandate, UNHCR is working closely with the Kurdistan Regional Government; United Nations agencies, funds and programmes; the International Organization for Migration; and non-governmental organizations to coordinate and scale up the emergency response, including assistance and protection, to both the influx of Syrian refugees and the increasing number of Iraqi refugees returning to Iraq. Support for the national governorate emergency cells continues as well, by means of preparedness training, assessment support and information-sharing to allow for a coordinated response.

47. UNHCR also continues to provide humanitarian assistance and protection to Iraqi internally displaced persons and returnees, and to work to find durable solutions, in coordination with the Government of Iraq and the United Nations Human Settlements Programme (UN-Habitat), in the areas of displacement and return. A total of 25,610 internally displaced persons and 8,330 Iraqi refugees were registered with the Ministry of Displacement and Migration as returnees in April. On 5 April, as part of a joint project of the Government, UNHCR and UN-Habitat, two pieces of land in Baghdad were allocated for the construction of shelters for 700 displaced families currently living in substandard settlements in the capital.

48. As my new Deputy Special Representative for Development and Humanitarian Support, Jacqueline Badcock, took up her duties in May, the United Nations country team renewed its offer of support to the Ministry of Planning regarding the national development plan for 2010-2014. With the plan currently under revision and projected to cover the period 2013-2017, the United Nations country team placed its technical capacity at the disposal of the Ministry and continued to advocate the integration of the Millennium Development Goals as a guiding framework. The Government of Iraq announced on 31 May that an allocation of $30 million would be made from a cost-sharing allocation for development interventions with international partners, to co-finance the development activities of the United Nations country team under the United Nations Development Assistance Framework. A list of 50 joint programmes and seven projects has been submitted to the Government of Iraq for co-financing in 2012.

49. By the end of May, the total contributions to the Iraq United Nations Development Assistance Framework Fund stood at approximately $15 million. The United Nations country team requires additional donor funding for the effective implementation of the Framework in line with national priorities. On 5 April, the Fund's steering committee approved a new project, entitled "Enhancing transparent participatory governance and human rights", for a total amount of $3 million, which will help to address governance and human rights issues in Iraq.

50. The United Nations Population Fund is supporting the Ministry of Youth and Sport and Iraqi young people in jointly developing the first national youth strategy for Iraq. During the reporting period, broad consultations took place with more than 1,300 young people from the 18 governorates to seek their views on the challenges of Iraqi youth, their rights and role in society, and expectations regarding the strategy. On 31 May, UNESCO launched a project entitled "Fighting youth unemployment through education in the Kurdistan Region". The project will provide 400 male and female graduates with entrepreneurship training that will introduce them to self-management techniques and enable them to set up small businesses.

51. In support of the global focus on the environment, the United Nations country team continued its efforts to address issues related to the rapid increase of dust storms in the region. UNDP, the United Nations Environment Programme and UNAMI attended a conference on 23 and 24 May in the Islamic Republic of Iran to discuss the technical aspects of dust storms. This has facilitated collaboration between Iraqi and Iranian officials and experts, while continuing the engagement with the Iraqi interministerial task force on drought risk management mandated to guide Iraq's response on dust storms.

52. With the support of UNESCO and UNDP, the Government of Iraq is developing a national framework for integrated drought risk management, a project that includes a long-term water management strategy and measures to account for and mitigate the risk of drought. UNDP continued to provide support to the national committee for disaster risk reduction in formulating a draft legislative framework.

53. On 31 May, the Kurdistan Regional Government, supported by UNICEF, launched a solid-waste master plan for the Sulaimaniyah Governorate. The master plan will guide the efforts of decision makers, service providers, community representatives and development partners to address the solid-waste needs and environmental concerns of Sulaimaniyah.

54. The World Health Organization (WHO) supported the finalization by the Government of Iraq of the national maternal child health and reproductive health strategy for 2012-2016, a framework for the first national multisectoral health promotion. In collaboration with the Food and Agriculture Organization of the United Nations (FAO) and the United States Centres for Disease Control and Prevention, WHO also assisted the Ministry of Health in developing and finalizing a comprehensive multisectoral workplan to address zoonotic diseases in Iraq.

55. The preliminary report of the Multiple Indicator Cluster Survey 4 was launched by the Ministry of Planning and Development Cooperation and UNICEF on 20 May, containing initial findings of the most comprehensive survey on children in Iraq conducted since 2006. The Government of Iraq and its partners have made progress in such areas as birth registration, immunization coverage, increased institutional delivery, gender parity in primary school and child labour. However, increased attention is needed in order to reduce the mortality rates of children under 5 years old, especially newborns, and to address chronic undernutrition.

56. Iraq's first nutrition strategy for 2012-2021, developed jointly by the Government of Iraq, UNICEF, WHO, the World Food Programme (WFP) and FAO, was endorsed by the Ministry of Health on 1 April. The strategy will provide guidance for decision makers and national programme managers on nutrition-related interventions.

57. On 29 and 30 April, FAO hosted a workshop with the Government of Iraq to discuss a road map for the agricultural sector in Iraq for 2012-2016. The workshop examined current agricultural development in Iraq, taking stock of ongoing policy and economic and social developments and reviewing the emergency assistance provided by FAO in rehabilitating the agricultural sector. The workshop resulted in a joint understanding regarding the medium-term agricultural needs of Iraq and how FAO and the Government of Iraq should proceed in developing programmes and partnerships in support of an agricultural recovery in the country.

58. During the reporting period, WFP continued to build the capacity of the Government of Iraq to implement the national school feeding programme while supporting the reform of social safety net programmes. A study tour to the United States was conducted in April with the Ministry of Education to examine the United States school meal and breakfast programme in order to inform the design of a national school feeding programme for Iraq. WFP is also working with the Ministry of Labour and Social Affairs to improve poverty targeting in social safety net programmes, including through the training of Ministry staff in monitoring and evaluation and the development of a management information system.

59. In April, UNOPS completed a project aimed at improving emergency medical response in the Kurdistan Region. With funding provided by the World Bank to the Kurdistan Region Ministry of Health, the project resulted in: (a) the construction, rehabilitation and equipping of blood banks and emergency coordination centres; (b) the establishment of a region-wide radio system; (c) the procurement of 12 ambulances; and (d) the training of more than 500 paramedics, ambulance drivers and radio operators to provide immediate assistance for citizens in health emergencies.

60. On 26 April, as a result of sustained advocacy efforts led by my Special Representative, the Government of Iraq reaffirmed its commitment to the national

mine action programme and took a number of critical decisions to strengthen its institutional capacities in order to meet the obligations set out in the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, by nominating the Ministry of Defence to provide materials for all demining activities in central and southern Iraq, agreeing to appoint a Director General for the Directorate of Mine Action within the Ministry of Environment, and activating interministerial cooperation.

61. In the Kurdistan Region, UNOPS continued its support for the development of a compact between civil society organizations and local authorities framing areas for cooperation. In June, two study tours took place, in Estonia and Lebanon, followed by an induction workshop for the members of the project implementation committee.

IV. Security and operational issues

62. During the reporting period, the overall security situation in Iraq remained unpredictable, with a significant number of deadly attacks, especially during religious celebrations. Iraqi security forces and civil servants are often targeted in sophisticated attacks. The risks posed to the United Nations by such threats as abductions, terrorist attacks and indirect weapons fire continue to be significant, requiring the Organization to adopt and implement substantial mitigation measures to ensure an adequate level of security for its staff, assets and operations, despite inherent constraints.

63. As previously reported, since 2008, at the request of the Government of Iraq and in the light of the changed circumstances in the country since 2005, the United Nations and the Government have been negotiating a new status of mission agreement, the absence of which has increasingly hindered the Mission's ability to effectively and efficiently implement its mandate. UNAMI and the United Nations country team have experienced increasing operational and logistical difficulties, including long delays in receiving customs clearance for crucial items and the imposition of visa requirements and fees, which have severely disrupted the deployment/rotation of United Nations Guard Unit troops. UNAMI has continued to actively follow up on this issue.

64. In response to international financial constraints and in an effort to streamline its activities and posture, UNAMI has undertaken an extensive review of its operations and of the delivery of its mandated activities, which coincides with the 2013 budget preparations, leading to a significant budget reduction for the second half of the biennium.

V. Observations

65. I am concerned that political tensions have increased since the issuance of my previous report. The sustained political impasse is a source of distraction for political leaders, preventing them from focusing on important issues of governance and legislation. Unless the impasse is meaningfully addressed by all parties, it could hamper efforts to move the country forward towards progress and stability. Political tensions could also have an adverse impact on the security situation.

66. I therefore urge Iraqi political leaders to work together in a spirit of compromise and inclusiveness, in accordance with the Constitution, towards a peaceful and prosperous future for Iraq. The current impasse needs to be resolved swiftly and in a transparent manner. UNAMI stands ready to assist all sides in promoting dialogue in an impartial manner.

67. The current political impasse is also hindering efforts to resolve outstanding issues pertaining to the disputed internal boundaries. I continue to firmly believe that addressing these issues remains central to the future stability of Iraq. The Standing Consultative Mechanism, a forum designed to bring key stakeholders together under the auspices of UNAMI, has failed to meet for more than a year despite the efforts of my Special Representative. I therefore call upon the political leaders to reaffirm their commitment to resolving outstanding issues between the Government of Iraq and the Kurdistan Regional Government. UNAMI is ready to provide all necessary assistance in that regard, including by facilitating the holding of the overdue Kirkuk Governorate Council elections and the adoption of hydrocarbon legislation.

68. I am encouraged by Iraq's successful hosting of the twenty-third summit of the League of Arab States in Baghdad, which attests to the great strides that Iraq has made towards its reintegration into the international community. I am also encouraged by the recent progress made in the bilateral relations between Iraq and Kuwait, including the historic visit of the Emir of Kuwait to Baghdad to attend the League of Arab States summit and the holding of the second meeting of the Joint Iraq-Kuwait Ministerial Committee. I urge both countries to sustain this momentum and to seize the opportunity to resolve all outstanding issues and fully normalize their relations. The United Nations remains committed to providing all the assistance necessary to facilitate Iraq's exit from its obligations under Chapter VII of the Charter of the United Nations, including through the work of my High-level Coordinator for the return of Kuwaiti and third-country nationals as well as property and through the timely completion of the Iraq-Kuwait boundary maintenance project.

69. Regional stability remains a crucial factor for Iraq's transition to a peaceful and stable democracy. Therefore, I continue to be deeply concerned about the escalation of violence in the Syrian Arab Republic, which could have an adverse political and humanitarian impact on the region, including Iraq. I call upon the Government of Iraq to extend hospitality and generosity towards Syrian nationals fleeing ongoing unrest and violence in their home country.

70. I welcome the significant progress made in the selection of a new Board of Commissioners of the Independent High Electoral Commission and urge the Council of Representatives to complete the process in a timely manner in order to ensure that the Commission is fully operational and capable of organizing important upcoming electoral events. It is important that the Council of Representatives ensure that the selection is made on the basis of merit and through a consultative and transparent process, and that women and minorities are adequately represented. As part of efforts to promote democratic reform, I call upon the Iraqi authorities to continue to ensure the independence, impartiality and credibility of the Commission as a viable constitutional institution, and to provide it with the resources necessary to enable it to effectively carry out its work. The United Nations will continue to provide

technical support and assistance to the Commission for the planning and holding of credible elections.

71. I also welcome the endorsement by the Council of Representatives of the Commissioners of the first Independent High Commission for Human Rights of Iraq. This is a historic achievement for the promotion and protection of the rights of all Iraqis. The United Nations will continue to offer technical advice and support with a view to building up a strong and credible institution.

72. I am encouraged by the progress made by the Government of Iraq in implementing measures to protect and promote the human rights of the Iraqi people. However, the impact of those measures on the overall human rights situation remains limited and fragile. Journalists and media professionals in Iraq continue to face arbitrary arrest and detention and to suffer from intimidation and attacks in relation to their profession. The administration of justice and the rule of law remain weak. In this regard, overreliance on confessions is worrying. I also reiterate my deep concern regarding the continued implementation of the death penalty in Iraq.

73. I urge that the plight of displaced persons and refugees not be forgotten and that the Government of Iraq, in partnership with the international community, continue its efforts to find durable solutions to the problem of displacement. The continued internal displacement of some 1.3 million Iraqis poses multiple challenges that may be tackled successfully only through a comprehensive strategy for ending displacement. Of particular concern is the situation of Iraqi displaced persons in hundreds of illegal settlements across the country, who have little access to basic services and face the threat of eviction. A policy aimed at halting evictions, which themselves inevitably lead to secondary displacement, must remain a priority for the Government of Iraq until a durable solution is found.

74. I welcome the peaceful and orderly transfers of residents from Camp New Iraq to Camp Hurriya. I am concerned, however, about the recent lack of progress in the relocation process. I call upon the Government of Iraq and the residents of both Camp New Iraq and Camp Hurriya to continue to work together in a constructive and flexible manner in order to complete the relocation process without further delay. I particularly urge the residents of both camps to cooperate with the Iraqi authorities. I reiterate that the Government of Iraq bears the primary responsibility for the security of the residents of both camps, who must fully abide by the laws of Iraq. UNAMI and UNHCR remain committed to a peaceful and durable solution. In this regard, I continue to urge Member States to extend their humanitarian generosity and offer resettlement opportunities to eligible residents, as well as to support the efforts of the United Nations by providing necessary financial assistance.

75. The continuing absence of a status of mission agreement for UNAMI has adversely affected the ability of the Mission and of the United Nations country team to carry out mandated activities. Despite the repeated follow-up with the Government of Iraq, our efforts have not yielded a satisfactory conclusion. Accordingly, I again strongly urge the Government of Iraq to take the steps necessary to bring the agreement into force, without further delay.

76. Finally, I wish to express my sincere gratitude to my Special Representative, Martin Kobler, and all United Nations staff serving with him in Iraq for their dedication in assisting the people and the Government of Iraq.

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Agenda item 43
Question of Cyprus

Security Council
Sixty-seventh year

Letter dated 11 July 2012 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 3 May 2012 addressed to you regarding the continuing abuses by Turkey of international air traffic regulations and the national airspace of the Republic of Cyprus (A/66/790-S/2012/294), I have the honour to draw your attention to the systematic abuses by Turkey of the sovereignty and territorial integrity of the Republic of Cyprus by blatantly violating international law and air traffic regulations in a way that seriously jeopardizes international aviation safety in the greater region (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Nicholas **Emiliou**

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Annex to the letter dated 11 July 2012 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Violations

Date	*Time*	*Nature of violation*
1 April 2012	0955-1055	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting the Nicosia area control centre (ACC).
	1113-1133	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia flight information region (FIR) 12 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1611-1630	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting 10 nm east of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1135-1138	One C 160 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR 14 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1617-1631	One C-160 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1133-1153	One C-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point VESAR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1622-1631	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
2 April 2012	0958-1015	An unknown Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR 10 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1151-1207	An unknown Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting 30 nm south of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1220-1318	An unknown Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
4 April 2012	1132-1152	One C-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR 10 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1747-1800	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting 10 nm east of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1538-1640	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1325-1528	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point EVENO and exiting 15 nm north of point TOSCA without diplomatic permit or contacting Nicosia ACC.
5 April 2012	1001-1110	Two F-16 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 53 nm east of point VESAR at 1001 hours and, after flying over the southern segment of the Cyprus exclusive economic zone at altitudes of between 5,000 and 15,000 ft, exited from 53 nm east of point VESAR, without diplomatic permit or contacting Nicosia ACC.
	1008-1106	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 51 nm east of point VESAR and exiting 57 nm north of point TOSCA, without diplomatic permit or contacting Nicosia ACC.
	1100-1112	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1124	An unknown Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1154-1212	One C-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR 10 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1423-1435	The same C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1504-1524	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1817-1844	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
6 April 2012	0933-0954	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 20 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1254-1355	The same CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	0933-0954	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1305-1400	One Cougar Turkish military helicopter violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 10 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
9 April 2012	0937-1122	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1136-1200	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 22 nm west of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
10 April 2012	0848-1217	One CN-235 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	0957-1050	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 54 nm east of point VESAR and exiting 8 nm east of point VESAR without diplomatic permit or contacting Nicosia ACC.
	0958-1050	Two F-4 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 27 nm west of point DOREN and, after flying over the southern segment of the Cyprus exclusive economic zone at altitudes of between 5,000 and 15,000 ft, exited from 58 nm east of point VESAR, without diplomatic permit or contacting Nicosia ACC.
11 April 2012	0941-1256	Two S-70 Turkish military helicopters violated international air traffic regulations by entering the Nicosia FIR 17 nm west of point TOMBI and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1041-1105	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 50 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1052-1123	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1116-1136	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 15 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1127-1148	One B-200 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 13 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1140-1251	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point KERIS and exiting from point TOSCA without diplomatic permit or contacting Nicosia ACC.
	1321-1343	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1510-1529	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1719-1738	One B-200 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1919-1949	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 35 nm west of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1722-1748	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 50 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
12 April 2012	0904-1111	One CN-235 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	0933-1353	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC, performing flying patterns over the southern segment of the Cyprus exclusive economic zone at altitudes of between 2,200 and 2,600 ft.
	1053-1158	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1319-1346	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 42 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1628-1700	Two S-70 Turkish military helicopters violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
13 April 2012	0950-1352	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC, performing flying patterns over the south-eastern segment of the Cyprus exclusive economic zone at altitudes of between 2,200 and 4,500 ft.
	1214-1232	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 7 nm east of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1221-1236	One C-160 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR 10 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1435-1452	One C-160 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1513-1531	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1937-2104	One S-70 Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	2230-2247	One S-70 Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	2230-0000	One S-70 Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
15 April 2012	1030-1154	Two S-70 Turkish military helicopters violated international air traffic regulations by entering the Nicosia FIR from 17 nm west of point TOMBI and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1146-1209	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 19 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
16 April 2012	1507-1529	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 13 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1517-1547	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by entering the Nicosia FIR from 23 nm east of point DOREN and subsequently by flying within the Nicosia FIR and the national airspace of the Republic of Cyprus until exiting from 25 nm east of point DOREN, without diplomatic permit or contacting Nicosia ACC.
	1602-1611	One F-16 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by entering the Nicosia FIR from point VESAR and subsequently by flying within the Nicosia FIR and the national airspace of the Republic of Cyprus until exiting from 10 nm west of point VESAR, without diplomatic permit or contacting Nicosia ACC.
	1649-1708	One CN-235 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
	1825-1842	One CN-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 13 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1916-1931	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
17 April 2012	0912-1032	An unknown Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
18 April 2012	1230-1252	One C-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 12 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1705-1717	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
19 April 2012	1100-1142	Four F-16 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 28 nm west of point DOREN and exited after flying over the south-eastern segment of the Cyprus exclusive economic zone at altitudes of between 500 and 15,000 ft, without diplomatic permit or contacting Nicosia ACC.
	1545-1603	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
20 April 2012	1058-1220	An unknown Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1220-1237	One CN-130 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 13 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1325-1343	One C-130 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 36 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1412-1433	One B-200 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 29 nm west of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1709-1725	One B-200 Turkish military aircraft violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
24 April 2012	1112-1120	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1215-1316	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point KERIS and exiting 8 nm east of point TOSCA without diplomatic permit or contacting Nicosia ACC.
	1228-1256	One Cougar Turkish military helicopter violated international air traffic regulations by entering the Nicosia FIR from 12 nm east of point DOREN and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1342-1413	One Cougar Turkish military helicopter violated the national airspace of the Republic of Cyprus and international air traffic regulations by flying within the Nicosia FIR until exiting from 15 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1353-1405	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1406-1645	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 52 nm east of point VESAR and exiting 50 nm east of point VESAR without diplomatic permit or contacting Nicosia ACC.
	1434-1533	Two F-16 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from 53 nm east of point VESAR and, after flying over the south-eastern segment of the Cyprus exclusive economic zone at an altitude of 10,000 ft, exited from 62 nm east of point DOREN without diplomatic permit or contacting Nicosia ACC.
	1720-1747	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point KERIS and exiting 25 nm west of point DOREN without diplomatic permit or contacting Nicosia ACC.
25 April 2012	0930-1319	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC, performing flying patterns over the south-eastern segment of the Cyprus exclusive economic zone.
	1022-1140	One Cougar Turkish military helicopters violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1956-2105	Two Cougar Turkish military helicopters violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	2105-2135	Two Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
26 April 2012	0824-1154	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC, performing flying patterns over the south-eastern segment of the Cyprus exclusive economic zone at an altitude of 2,600 ft.

Date	*Time*	*Nature of violation*
	1740-1753	One CN-235 Turkish military aircraft violated international air traffic regulations by entering the Nicosia FIR from point KERIS and exiting from point DOREN without diplomatic permit or contacting Nicosia ACC.
27 April 2012	1425-1600	One Cougar Turkish military helicopter violated international air traffic regulations and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

United Nations S/2012/537

Security Council

Distr.: General
12 July 2012
English
Original: Arabic

Letter dated 10 July 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to our earlier letter, in which we conveyed to the esteemed Council details of the continual attacks which are carried out by the northern branch of the Sudan People's Liberation Movement (SPLM) on innocent civilians in the two states of South Kordofan and Blue Nile, I regret to have to inform you that those forces have not ceased to carry out attacks against and threaten security and peace in the state of South Kordofan: at midday on Friday, 6 July 2012, they launched a treacherous attack in which they targeted unarmed civilians who were visiting the agricultural projects between the villages of Karkandi and Kutun, east of Alkergil town in Habila locality. That perfidious attack caused the deaths of the persons whose names are set forth below:

1. Ibrahim Muhammad Blandia, Speaker of the South Kordofan Legislature
2. Faisal Bashir, Secretary General of the state Strategic Planning Council
3. Ali Matar, Former Mayor at the Secretariat General of North Kordofan Government
4. Musa Attiya, a driver of the South Kordofan Legislature
5. Mutawakil Munier, a driver of the South Kordofan Legislature
6. Hamdan Suleiman, a driver of the South Kordofan Legislature
7. Yusuf Makayn, aide to the Speaker of the South Kordofan Legislature
8. Abdulrahman Kabsur, aide to the Speaker of the South Kordofan Legislature

As we bring to the notice of the esteemed Council this treacherous attack, of which, as we detailed above, eight innocent civilians were the victims, we would remind the Council yet again that the aim of the northern branch of SPLM is to terrorize and target civilians. Those whose names are set forth above were murdered in cold blood, and were both unarmed and defenceless, which should dictate to the Council the need to condemn in the strongest terms this perfidious attack. We affirm that the Government of the Sudan is pursuing its efforts to bring security and stability to the states of South Kordofan and Blue Nile.

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In conclusion, I should be grateful if the present letter could be circulated as an official document of the Security Council.

(*Signed*) Daffa-Alla Elhag Ali **Osman**
Permanent Representative

United Nations S/2012/538

Security Council

Distr.: General
19 July 2012

Original: English

France, Germany, Portugal, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its Resolutions 2043 (2012) and 2042 (2012), and its Presidential Statements of 3 August 2011, 21 March 2012 and 5 April 2012,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, and to the purposes and principles of the Charter,

Reaffirming also its support to the Joint Special Envoy for the United Nations and the League of Arab States, Kofi Annan, and his work, following General Assembly resolution A/RES/66/253 of 16 February 2012 and relevant resolutions of the League of Arab States, aimed at securing full implementation of his six-point plan in its entirety, as annexed to resolution 2042 (2012),

Condemning the Syrian authorities' increasing use of heavy weapons, including indiscriminate shelling from tanks and helicopters, in population centres and failure to withdraw its troops and heavy weapons to their barracks contrary to paragraph 2 of resolution 2043 (2012),

Condemning the armed violence in all its forms, including by armed opposition groups, and *expressing* grave concern at the continued escalation of violence, and *expressing* its profound regret at the death of many thousands of people in Syria,

Condemning the continued widespread violations of human rights by the Syrian authorities, as well as any human rights abuses by armed opposition groups, and recalling that those responsible shall be held accountable,

Condemning the series of bombings that have made the situation more complex and deadly, some of which are indicative of the presence of well-organised terrorist groups,

Deploring the deteriorating humanitarian situation and the failure to ensure timely provision of humanitarian assistance to all areas affected by the fighting contrary to point 3 of the Envoy's six-point plan, *reiterating* its call for the Syrian parties to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in particular to civilian populations in need of evacuation, and *calling upon* all parties in Syria, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance,

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Condemning the continued detention of thousands of Syrians in networks of Government-run facilities and deploring that there is no freedom of assembly contrary to points 4 and 6 of the six-point plan, and *recalling* the urgency of intensifying the pace and scale of release of arbitrarily detained persons, and *reiterating* the need for Syrians to enjoy the freedom to assemble, including to demonstrate peacefully and freedom of movement for journalists throughout the country, as part of the necessary conditions for a political transition,

Having considered the Secretary-General's report on UNSMIS dated 6 July 2012, *commending* United Nations Supervision Mission in Syria (UNSMIS) personnel for their continued efforts in a dangerous and volatile environment, and *deploring* that, due to the failure of the parties to implement the six-point plan and to the level of violence, monitoring access restrictions and direct targeting, the Mission's operational activities were rendered unworkable, and supporting the Secretary-General's recommendation that a shift in Mission structure and focus should be considered,

Stressing that rapid progress on a political solution represents the best opportunity to resolve the situation in Syria peacefully, *welcoming* in this regard the Final Communiqué of the Envoy's 30 June Action Group meeting, and *noting* that progress towards an atmosphere of safety and calm is key to enabling a credible transition,

Welcoming the Syrian Opposition Conference held under the auspices of the League of Arab States in Cairo on July 3, 2012, as part of the efforts of the League of Arab States to engage the whole spectrum of the Syrian opposition, and *encouraging* greater cohesion among the opposition,

Noting the Secretary-General's 6 July 2012 call on the Security Council to provide the necessary support and ensure sustained, united and effective pressure on all concerned to ensure compliance with its decisions and create conditions for the success of a political solution envisaged by the Action Group,

Determining that the situation in Syria constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses grave concern* at the escalation of violence, and the failure of the parties, in particular the Syrian authorities, to implement the Envoy's six-point plan as annexed to resolution 2042 (2012), thus not permitting the creation of a political space that would allow for meaningful political dialogue, and *calls upon* all parties to recommit immediately and without waiting for the actions of others to a sustained cessation of violence in all its forms and implementation of the six-point plan;

2. *Endorses* in full the 30 June Action Group Final Communiqué and its underlying guidelines and principles (Annex);

Enabling Transition: Immediate implementation of the Envoy's six-point plan

3. *Demands* the urgent, comprehensive, and immediate implementation of, all elements of the Envoy's six-point proposal as annexed to resolution 2042 (2012) aimed at bringing an immediate end to all violence and human rights violations, securing humanitarian access and facilitating a Syrian-led political transition as

outlined in the Annex, leading to a democratic, plural political system, in which citizens are equal regardless of their affiliations, ethnicities or beliefs, including through commencing a comprehensive political dialogue between the Syrian authorities and the whole spectrum of the Syrian opposition;

4. *Decides* that the Syrian authorities shall implement visibly and verifiably their commitments in their entirety, as they agreed to do in the Preliminary Understanding and as stipulated in resolution 2042 (2012) and 2043(2012), to (a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, (c) complete pullback of military concentrations in and around population centres, and to withdraw its troops and heavy weapons from population centres to their barracks or temporary deployment places to facilitate a sustained cessation of violence;

5. *Demands* that all parties in Syria, including the opposition, immediately cease all armed violence in all its forms, thereby creating an atmosphere conducive to a sustained cessation of violence and a Syrian-led political transition;

6. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, and *reiterates* its appreciation of the significant efforts that have been made by the States bordering Syria to assist those who have fled across Syria's borders as a consequence of the violence, and requesting UNHCR to provide assistance as requested by member states receiving these displaced persons;

Transition

7. *Demands* that all Syrian parties work with the Office of the Joint Special Envoy to implement rapidly the transition plan set forth in the Final Communiqué in a way that assures the safety of all in an atmosphere of stability and calm;

Accountability

8. *Recalls* that all those responsible for human rights violations and abuses, including acts of violence, must be held accountable;

9. *Decides* that the Syrian Government shall provide the UN Independent International Commission of Inquiry on the Syrian Arab Republic and individuals working on its behalf immediate entry and access to all areas of Syria, *decides* that the Syrian authorities shall cooperate fully with the Commission of Inquiry in the performance of its mandate;

UNSMIS

10. *Decides* to renew the mandate of the United Nations Supervision Mission in Syria (UNSMIS) for a period of 45 days, on the basis of the Secretary-General's recommendation to reconfigure the Mission to increase support for dialogue with and between the parties, and enhance attention to the political track and rights' issues across the six-point plan;

11. *Requests the Secretary-General* to retain the minimum military observer capacity and requisite civilian component necessary to promote forward steps on the six-point plan through facilitation of political dialogue and to conduct verification and fact-finding tasks;

12. *Condemns* all attacks against UNSMIS, *reaffirms* that perpetrators of attacks against UN personnel must be held to account, *demands* that the parties guarantee the safety of UNSMIS personnel without prejudice to its freedom of movement and access, and *stresses* that the primary responsibility in this regard lies with the Syrian authorities;

13. *Demands* that the Syrian authorities ensure the effective operation of UNSMIS by: facilitating the expeditious and unhindered deployment of its personnel and capabilities as required to fulfil its mandate; ensuring its full unimpeded, and immediate freedom of movement and access as necessary to fulfil its mandate, underlining in this regard the need for the Syrian authorities and the United Nations to come rapidly to an agreement on appropriate air transportation assets for UNSMIS; allowing its unobstructed communications; and allowing it to freely and privately communicate with individuals throughout Syria without retaliation against any person as a result of interaction with UNSMIS;

Compliance

14. *Decides* that, if the Syrian authorities have not fully complied with paragraph 4 above within ten days, then it shall impose immediately measures under Article 41 of the UN Charter;

Reporting and Follow-Up

15. *Requests* the Secretary-General to report to the Council on the implementation by all parties in Syria of this resolution within 10 days of its adoption and every 15 days thereafter;

16. *Expresses* its intention to assess the implementation of this resolution and to consider further steps as appropriate;

17. *Decides* to remain seized of the matter.

Annex

Final Communiqué of the Action Group for Syria

1. On 30 June 2012, the Secretaries-General of the United Nations and the League of Arab States, the Ministers for Foreign Affairs of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Turkey, Iraq (Chair of the Summit of the League of Arab States), Kuwait (Chair of the Council of Foreign Ministers of the League of Arab States) and Qatar (Chair of the Arab Follow-up Committee on Syria of the League of Arab States) and the High Representative of the European Union for Foreign Affairs and Security Policy met at the United Nations Office at Geneva as the Action Group for Syria, chaired by the Joint Special Envoy of the United Nations and the League of Arab States to Syria.

2. The members of the Action Group came together out of grave alarm at the situation in the Syrian Arab Republic. They strongly condemn the continued and escalating killing, destruction and human rights abuses. They are deeply concerned at the failure to protect civilians, the intensification of the violence, the potential for even deeper conflict in the country and the regional dimensions of the problem. The

unacceptable nature and magnitude of the crisis demands a common position and joint international action.

3. The members of the Action Group are committed to the sovereignty, independence, national unity and territorial integrity of the Syrian Arab Republic. They are determined to work urgently and intensively to bring about an end to the violence and human rights abuses, and to facilitate the launch of a Syrian-led political process leading to a transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their own future.

4. In order to secure these common objectives, the members of the Action Group (a) identified steps and measures by the parties to secure the full implementation of the six-point plan and Security Council resolutions 2042 (2012) and 2043 (2012), including an immediate cessation of violence in all its forms; (b) agreed on principles and guidelines for a political transition that meets the legitimate aspirations of the Syrian people; and (c) agreed on actions that they would take to implement the objectives in support of the Joint Special Envoy's efforts to facilitate a Syrian-led political process. They are convinced that this can encourage and support progress on the ground and will help to facilitate and support a Syrian-led transition.

Identified steps and measures by the parties to secure the full implementation of the six-point plan and Security Council resolutions 2042 (2012) and 2043 (2012), including an immediate cessation of violence in all its forms

5. The parties must fully implement the six-point plan and Security Council resolutions 2042 (2012) and 2043 (2012). To that end:

(a) All parties must recommit to a sustained cessation of armed violence in all its forms and to the implementation of the six-point plan immediately and without waiting for the actions of others. The Government and armed opposition groups must cooperate with the United Nations Supervision Mission in the Syrian Arab Republic (UNSMIS), with a view to furthering the implementation of the plan in accordance with the Mission's mandate;

(b) A cessation of armed violence must be sustained, with immediate, credible and visible actions by the Government of the Syrian Arab Republic to implement the other items of the six-point plan, including:

(i) Intensification of the pace and scale of release of arbitrarily detained persons, including especially vulnerable categories of persons, and persons involved in peaceful political activities; the provision, without delay and through appropriate channels, of a list of all places in which such persons are being detained; the immediate organization of access to such locations; and the provision, through appropriate channels, of prompt responses to all written requests for information, access or release regarding such persons;

(ii) Ensuring freedom of movement throughout the country for journalists and a non-discriminatory visa policy for them;

(iii) Respecting freedom of association and the right to demonstrate peacefully, as legally guaranteed;

(c) In all circumstances, all parties must show full respect for the safety and security of UNSMIS and fully cooperate with and facilitate the Mission in all respects;

(d) In all circumstances, the Government must allow immediate and full humanitarian access by humanitarian organizations to all areas affected by the fighting. The Government and all parties must enable the evacuation of the wounded, and all civilians who wish to leave must be enabled to do so. All parties must fully adhere to their obligations under international law, including in relation to the protection of civilians.

Agreed principles and guidelines for a Syrian-led transition

6. The members of the Action Group agreed on the principles and guidelines for a Syrian-led transition set out below.

7. Any political settlement must deliver to the people of the Syrian Arab Republic a transition that:

(a) Offers a perspective for the future that can be shared by all in the Syrian Arab Republic;

(b) Establishes clear steps according to a firm timetable towards the realization of that perspective;

(c) Can be implemented in a climate of safety for all and of stability and calm;

(d) Is reached rapidly without further bloodshed and violence and is credible.

8. **Perspective for the future**. The aspirations of the people of the Syrian Arab Republic have been clearly expressed by the wide range of Syrians consulted. There is an overwhelming wish for a State that:

(a) Is genuinely democratic and pluralistic, giving space to established and newly emerging political actors to compete fairly and equally in elections. This also means that the commitment to multiparty democracy must be a lasting one, going beyond an initial round of elections;

(b) Complies with international standards on human rights, the independence of the judiciary, accountability of those in Government and the rule of law. It is not enough just to enunciate such a commitment. There must be mechanisms available to the people to ensure that these commitments are kept by those in authority;

(c) Offers equal opportunities and chances for all. There is no room for sectarianism or discrimination on ethnic, religious, linguistic or any other grounds. Numerically smaller communities must be assured that their rights will be respected.

9. **Clear steps in the transition**. The conflict in the Syrian Arab Republic will end only when all sides are assured that there is a peaceful way towards a common future for all in the country. It is therefore essential that any settlement provide for clear and irreversible steps in the transition according to a fixed time frame. The key steps in any transition include:

(a) The establishment of a transitional governing body that can establish a neutral environment in which the transition can take place, with the transitional governing body exercising full executive powers. It could include members of the

present Government and the opposition and other groups and shall be formed on the basis of mutual consent;

(b) It is for the Syrian people to determine the future of the country. All groups and segments of society in the Syrian Arab Republic must be enabled to participate in a national dialogue process. That process must be not only inclusive but also meaningful. In other words, its key outcomes must be implemented;

(c) On that basis, there can be a review of the constitutional order and the legal system. The result of constitutional drafting would be subject to popular approval;

(d) Upon establishment of the new constitutional order, it will be necessary to prepare for and conduct free and fair multiparty elections for the new institutions and offices that have been established;

(e) Women must be fully represented in all aspects of the transition.

10. **Safety, stability and calm**. Any transition involves change. However, it is essential to ensure that the transition can be implemented in a way that ensures the safety of all in an atmosphere of stability and calm. This requires:

(a) Consolidation of full calm and stability. All parties must cooperate with the transitional governing body to ensure the permanent cessation of violence. This includes completion of withdrawals and addressing the issue of the disarmament, demobilization and reintegration of armed groups;

(b) Effective steps to ensure that vulnerable groups are protected and that immediate action is taken to address humanitarian issues in areas of need. It is also necessary to ensure that the release of the detained is completed rapidly;

(c) Continuity of governmental institutions and qualified staff. Public services must be preserved or restored. This includes the military forces and security services. However, all governmental institutions, including the intelligence services, have to perform according to human rights and professional standards and operate under a leadership that inspires public confidence, under the control of the transitional governing body;

(d) Commitment to accountability and national reconciliation. Accountability for acts committed during the present conflict must be addressed. There also needs to be a comprehensive package for transitional justice, including compensation or rehabilitation for victims of the present conflict, steps towards national reconciliation and forgiveness.

11. **Rapid steps to come to a credible political agreement**. It is for the people of the Syrian Arab Republic to come to a political agreement, but time is running out. It is clear that:

(a) The sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic must be respected;

(b) The conflict must be resolved through peaceful dialogue and negotiation alone. Conditions conducive to a political settlement must now be put in place;

(c) There must be an end to the bloodshed. All parties must recommit themselves credibly to the six-point plan. This must include a cessation of armed

violence in all its forms and immediate, credible and visible actions to implement points 2 to 6 of the six-point plan;

(d) All parties must now engage genuinely with the Joint Special Envoy. The parties must be prepared to put forward effective interlocutors to work expeditiously towards a Syrian-led settlement that meets the legitimate aspirations of the people. The process must be fully inclusive in order to ensure that the views of all segments of Syrian society are heard in shaping the political settlement for the transition;

(e) The organized international community, including the members of the Action Group, stands ready to offer significant support for the implementation of an agreement reached by the parties. This may include an international assistance presence under a United Nations mandate if requested. Significant funds will be available to support reconstruction and rehabilitation.

Agreed actions

12. Agreed actions that the members of the Group will take to implement the above in support of the Joint Special Envoy's efforts to facilitate a Syrian-led political process are as follows:

(a) Action Group members will engage as appropriate, and apply joint and sustained pressure on, the parties in the Syrian Arab Republic to take the steps and measures outlined in paragraph 5 above;

(b) Action Group members are opposed to any further militarization of the conflict;

(c) Action Group members emphasize to the Government of the Syrian Arab Republic the importance of the appointment of an effective empowered interlocutor, when requested by the Joint Special Envoy to do so, to work on the basis of the six point plan and the present communiqué;

(d) Action Group members urge the opposition to increase cohesion and to be in a position to ensure effective representative interlocutors to work on the basis of the six-point plan and the present communiqué;

(e) Action Group members will give full support to the Joint Special Envoy and his team as they immediately engage the Government and the opposition, and will consult widely with Syrian society, as well as other international actors, to further develop the way forward;

(f) Action Group members would welcome the further convening by the Joint Special Envoy of a meeting of the Action Group, should he deem it necessary to review the concrete progress taken on all points agreed in the present communiqué and to determine what further and additional steps and actions are needed from the Action Group to address the crisis. The Joint Special Envoy will also keep the United Nations and the League of Arab States informed.